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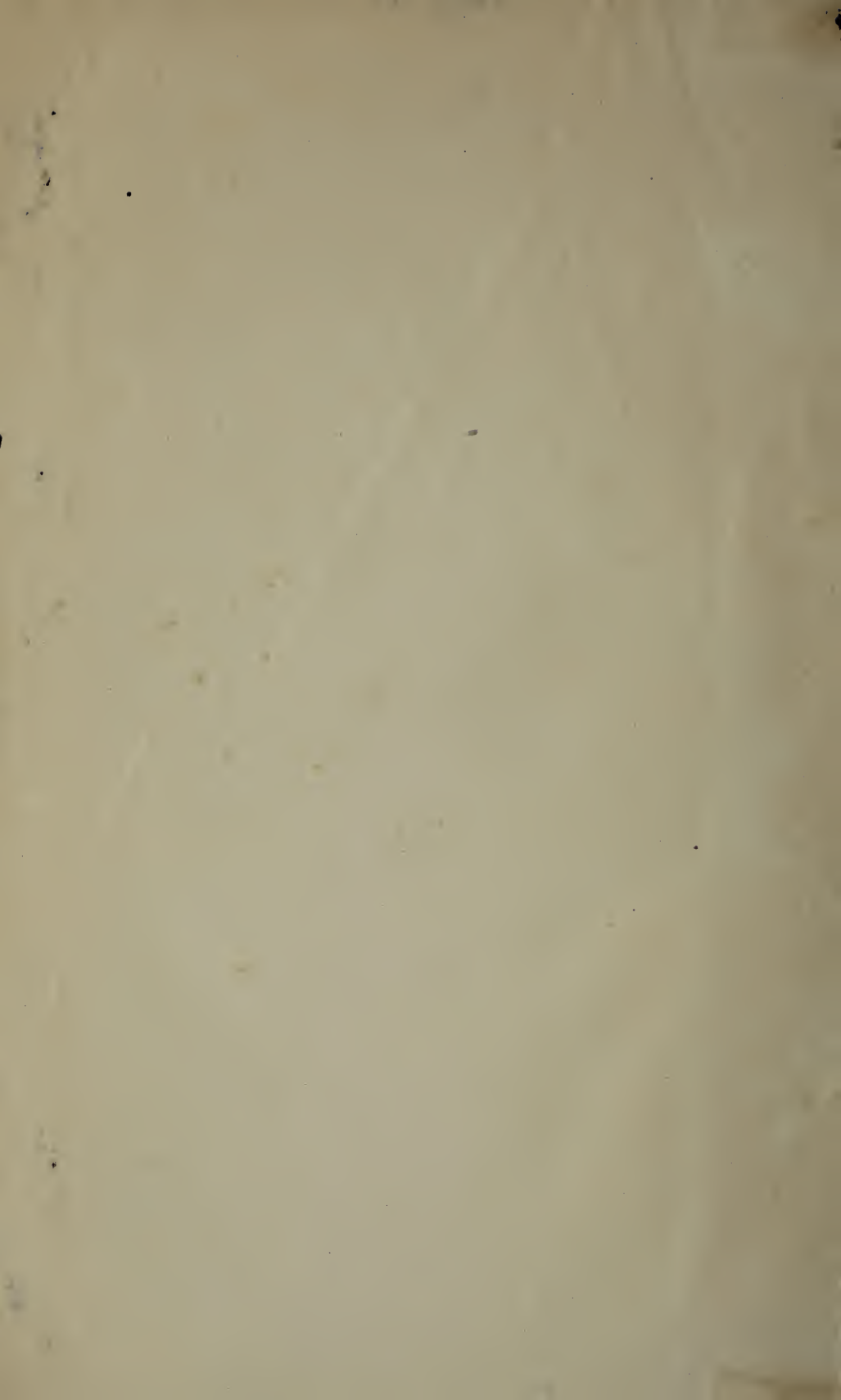
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1875



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JOURNAL

OF THE

REGULAR SESSION OF THE SENATE

OF THE

COMMONWEALTH OF KENTUCKY,

BEGUN AND HELD IN THE CITY OF FRANKFORT, ON FRIDAY, THE  
THIRTY-FIRST DAY OF DECEMBER, IN THE YEAR  
OF OUR LORD 1875, AND OF THE COMMON-  
WEALTH THE EIGHTY-FOURTH.

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JOURNAL  
OF  
THE SENATE OF KENTUCKY.

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FRIDAY, DECEMBER 31, 1875.

Hon. John C. Underwood, Lieutenant Governor, presiding.

At a General Assembly, begun and held for the State of Kentucky at the Capitol, in the city of Frankfort, the thirty-first day of December, one thousand eight hundred and seventy-five, the following Senators appeared and took their seats, viz :

- From the First Senatorial District, H. A. Tyler.  
From the Second Senatorial District, S. H. Jenkins.  
From the Third Senatorial District, James B. Garnett.  
From the Fourth Senatorial District, Sumner Marble.  
From the Fifth Senatorial District, J. H. Stanley.  
From the Sixth Senatorial District, C. N. Pendleton.  
From the Ninth Senatorial District, P. A. Lyon.  
From the Tenth Senatorial District, P. F. Edwards.  
From the Eleventh Senatorial District, George Wright.  
From the Twelfth Senatorial District, James W. Hays.  
From the Thirteenth Senatorial District, C. J. Walton.  
From the Fourteenth Senatorial District, Thos. J. Barker.  
From the Fifteenth Senatorial District, Robert A. Briggs.  
From the Sixteenth Senatorial District, B. W. S. Huffaker.  
From the Seventeenth Senatorial District, H. F. Finley.  
From the Eighteenth Senatorial District, Thos. W. Varnon.  
From the Nineteenth Senatorial District, J. R. Leslie.  
From the Twentieth Senatorial District, Scott Brown.  
From the Twenty-first Senatorial District, W. L. Vories.  
From the Twenty-third Senatorial District, D. Herndon Lindsay.

From the Twenty-fourth Senatorial District, Robert Simmons.

From the Twenty-fifth Senatorial District, George B. Hodge.

From the Twenty-sixth Senatorial District, F. L. Cleveland.

From the Twenty-seventh Senatorial District, W. C. Goodloe.

From the Twenty-eighth Senatorial District, W. A. Cunningham.

From the Twenty-ninth Senatorial District, Ed. W. Turner.

From the Thirtieth Senatorial District, Duncan Harding.

From the Thirty-first Senatorial District, R. B. Lovel.

From the Thirty-third Senatorial District, John Hyden.

From the Thirty-fourth Senatorial District, Joseph Gardner.

From the Thirty-fifth Senatorial District, Andrew J. Ewing.

From the Thirty-sixth Senatorial District, Pollock Barbour.

From the Thirty-seventh Senatorial District, R. G. Hays.

From the Thirty-eighth Senatorial District, Joseph B. Read.

The said Pollock Barbour, F. L. Cleveland, Andrew J. Ewing, H. F. Finley, Joseph Gardner, James B. Garnett, Duncan Harding, R. G. Hays, John Hyden, S. H. Jenkins, J. R. Leslie, P. A. Lyon, Sumner Marble, C. N. Pendleton, Joseph B. Read, J. H. Stanley, H. A. Tyler, and Geo. Wright, severally produced certificates of their election, and took the several oaths required by the Constitution of the United States and the Constitution and laws of this State.

James Blackburn produced his certificate of election as Senator from the Twenty-second District; also the following certificate of the Secretary of State:

MAY 27th, 1871.

The Governor pardoned James Blackburn, who was engaged in a duel in 1854 in Fayette county, and for which offense he was indicted in the Fayette circuit court, but being since dismissed.

STATE OF KENTUCKY,                    }  
OFFICE OF SECRETARY OF STATE.}

I, J. Stoddard Johnston, do hereby certify that the above is a true and perfect copy of an entry on the Executive Journal on the 27th day of May, 1871.

In testimony whereof, I have hereunto set my hand and  
{ L. S. } affixed my seal of office, this thirty-first day of December,  
eighteen hundred and seventy-five, and in the eighty-fourth  
year of the Commonwealth.

J. STODDARD JOHNSTON,  
*Secretary of State.*

By THOS. S. BRONSTON,  
*Assistant Secretary of State.*

Whereupon, the said James Blackburn took the several oaths required by the Constitution of the United States and the Constitution and laws of this State, saving that portion of the oath required by the Constitution of this State in regard to dueling, and was declared duly admitted as a member of this Senate.

The Speaker then announced that nominations for the office of Chief Clerk of the Senate were in order.

Whereupon, Mr. Turner nominated Mr. Isaac Wingate, jr., of Franklin county, as a suitable person to fill said position.

Mr. Goodloe nominated Mr. Theodore Shaw, of Fayette county, as a suitable person to fill the same position.

And the vote being taken, resulted as follows :

Those who voted for Mr. Wingate, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	George Wright—30.

Those who voted for Mr. Shaw, were—

H. F. Finley,	B. W. S. Huffaker,	C. J. Walton—4.
Wm. Cassius Goodloe,		

Mr. Wingate having received a majority of all the votes cast, was declared duly elected Clerk of the Senate for the present session, and then took the oath prescribed by the Constitution and laws of the State.

The Speaker then announced that nominations were in order for the office of Assistant Clerk of the Senate.

Whereupon, Mr. Barker nominated Mr. John L. Sneed, of Frankfort, as a suitable person to fill said position.

Mr. Finley nominated Mr. R. L. Ewell, of Laurel county, as a suitable person to fill said position.

And the vote being taken, resulted as follows :

Those who voted for Mr. Sneed, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Thos. J. Barker,	James W. Hays,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	Robert Simmons,

Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—31.
James B. Garnett,		

Those who voted for Mr. Ewell, were—

H. F. Finley,	B. W. S. Huffaker,	C. J. Walton—4.
Wm. Cassius Goodloe,		

Mr. Sneed having received a majority of all the votes cast, was declared duly elected Assistant Clerk of the Senate for the present session, and then took the oath prescribed by the Constitution and laws of this State.

The Speaker then announced that nominations for the position of Sergeant-at-Arms of the Senate were in order.

Whereupon Mr. Read nominated Mr. D. D. Sublett, of Magoffin county, as a suitable person to fill said position.

Mr. Huffaker nominated Mr. John Tuggle, of Wayne county, as a suitable person to fill said position.

And the vote being taken, resulted as follows, viz :

Those who voted for Mr. Sublett, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Thos. J. Barker,	James W. Hays,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—31.
James B. Garnett,		

Those who voted for Mr. Tuggle, were—

H. F. Finley,	B. W. S. Huffaker,	C. J. Walton—4.
Wm. Cassius Goodloe,		

Mr. Sublett having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms of the Senate for the present session, and then took the oath prescribed by the Constitution and laws of this State.

The Speaker then announced that nominations for the office of Door-keeper of the Senate were in order.

Whereupon Mr. Garnett nominated Mr. R. C. Petty, of McCracken county, as a suitable person to fill said position.



Mr. Walton nominated Mr. W. G. Shelton, of the county of Hart, as a suitable person to fill said position.

And the vote being taken, resulted as follows, viz :

Those who voted for Mr. Petty, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—30.

Those who voted for Mr. Shelton, were—

H. F. Finley,	B. W. S. Huffaker,	C. J. Walton—4.
Wm. Cassius Goodloe,		

Mr. Petty having received a majority of all the votes cast, was declared duly elected Door-keeper of the Senate for the present session, and then appeared and took the oath prescribed by the Constitution of the State.

Mr. Barker moved the following resolution, viz :

*Resolved*, That a committee of three be appointed to wait upon and inform the House of Representatives that the Senate is duly organized and ready to proceed to legislative business.

Which was adopted.

Whereupon Messrs. Barker, Hays, and Goodloe were appointed said committee.

On motion of Mr. Briggs, leave of absence indefinitely was granted Mr. Berry.

Mr. Briggs moved the following resolution, viz :

*Resolved*, That the Sergeant-at-Arms of the Senate be directed to furnish each member and officer of the Senate with three daily papers, and place them upon the tables of the respective members.

And the question being taken on the adoption of said resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	R. B. Lovel,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	E. W. Turner,

F. L. Cleveland,	George B. Hodge,	H. A. Tyler.
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Joseph Gardner,	D. H. Lindsay,	W. L. Vories—21.

Those who voted in the negative, were—

Pollock Barbour,	B. W. S. Huffaker,	C. N. Pendleton,
W. A. Cunningham,	John Hyden,	J. H. Stanley,
Andrew J. Ewing,	S. H. Jenkins,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—14.
James B. Garnett,	Sumner Marble,	

Mr. Simmons moved to reconsider the vote by which said resolution was adopted.

Mr. Barker moved to lay said motion on the table.

Which motion was adopted.

On motion of Mr. Cleveland, the rules of the last Senate, and the joint rules of the two Houses of the last General Assembly, were adopted as the rules for the government of the present Senate.

Mr. Walton moved the following resolution, viz :

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, authorized to appoint two pages to wait upon the Senate during the present session of the General Assembly.

Mr. Read moved to amend said resolution by striking out the word "two" and insert the word "three."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	D. H. Lindsay,
James Blackburn,	James W. Hays,	R. B. Lovel,
Scott Brown,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	S. H. Jenkins,	Robert Simmons,
Joseph Gardner,	J. R. Leslie,	W. L. Vories—15.

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	John Hyden,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—20.
Wm. Cassius Goodloe,	C. N. Pendleton,	

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Varnon moved that the Senate do now adjourn until to-morrow morning at 10 o'clock.



Mr. Goodloe moved as an amendment to said motion that the Senate do now adjourn till Monday morning next, at ten o'clock.

Mr. Wright moved that the Senate do now adjourn till 3 o'clock this afternoon.

The question was first taken on Mr. Wright's motion, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Turner, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	B. W. S. Huffaker,	W. L. Vories,
W. A. Cunningham,	E. W. Turner,	C. J. Walton,
H. F. Finley,	Thos. W. Varnon,	George Wright—8.

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	R. B. Lovel,
Thos. J. Barker,	Duncan Harding,	P. A. Lyon,
Robert A. Briggs,	James W. Hays,	Sumner Marble,
Scott Brown,	R. G. Hays,	C. N. Pendleton,
F. L. Cleveland,	George B. Hodge,	Joseph B. Read,
P. F. Edwards,	John Hyden,	Robert Simmons,
Andrew J. Ewing,	S. H. Jenkins,	J. H. Stanley,
Joseph Gardner,	J. R. Leslie,	H. A. Tyler—26.
James B. Garnett,	D. H. Lindsay,	

The question was then taken on the amendment to Mr. Varnon's motion proposed by Mr. Goodloe, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	B. W. S. Huffaker,
Robert A. Briggs,	Wm. Cassius Goodloe,	R. B. Lovel,
F. L. Cleveland,	R. G. Hays,	Joseph B. Read—10.
P. F. Edwards,		

Those who voted in the negative, were—

Thos. J. Barker,	George B. Hodge,	Robert Simmons,
James Blackburn,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	W. L. Vories,
James B. Garnett,	Sumner Marble,	C. J. Walton,
Duncan Harding,	C. N. Pendleton,	George Wright—25.
James W. Hays,		

The question was then taken on the motion of Mr. Varnon, and it was decided in the affirmative.

And then the Senate adjourned.

## SATURDAY, JANUARY 1, 1876.

Hon. W. W. Culbertson, Senator from the Thirty-second District, appeared and took his seat.

Mr. Vories moved the following resolution, viz :

*Resolved*, That the Ministers of the Gospel of the city of Frankfort be, and they are hereby, requested to attend the meeting of the Senate each morning and open its proceedings with prayer.

Which was adopted.

Mr. J. W. Hays moved the following resolution, viz :

*Resolved*, That the State Librarian be directed to furnish the Clerks of the Senate such articles of stationery as they may require in the discharge of the duties of their office.

Which was adopted.

And then the Senate adjourned.

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MONDAY, JANUARY 3, 1876.

Mr. Barker, from the committee appointed to inform the House of Representatives that the Senate had met and organized, and were ready to proceed to legislative business, reported that they had performed the duty assigned them.

A message was received from the House of Representatives, by Messrs. Russell and Lockhart, announcing that the House of Representatives had met and organized, and were ready to proceed to legislative business.

On motion of Mr. Ewing, leave of absence, indefinitely, was granted Mr. Gardner.

Mr. Cunningham moved the following resolution, viz :

*Resolved*, That a committee of three Senators be appointed, to act with a similar committee on the part of the House of Representatives, to wait upon and inform His Excellency the Governor that the General Assembly is now duly organized and ready to receive any communication he may be pleased to present for its consideration.

Which was adopted.

Whereupon the Speaker appointed Messrs. Cunningham, Simmons, and Finley said committee.

A message was received from the House of Representatives, announcing that Messrs. Lockhart, Little, and Russell had been appointed a committee on the part of the House of Representatives, to act in conjunction with a similar committee on the part of the Senate, to wait upon the Governor and inform him that the two Houses of the General Assembly had met and organized, and were now ready to receive any communication he might think proper to make to them.

Mr. Cunningham, from the joint committee appointed to wait on the Governor, reported that they had performed the duty assigned them, and were informed by the Governor that in a short time he would lay before the General Assembly a communication in writing.

In a short time a message in writing was received from the Governor, by Hon. J. Stoddard Johnston, Secretary of State.

Which was taken up and read as follows, viz :

FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES :

The Constitution of Kentucky declares that the Governor "shall, from time to time, give to the General Assembly information of the state of the Commonwealth, and recommend to their consideration such measures as he may deem expedient." In performing this duty as Governor for the first time, I with much pleasure extend to each of you a cordial greeting and a hearty welcome to the State Capital and to halls of legislation.

You have for a time separated yourselves from private affairs and usual avocations, and come from every section of the State, invested with power and authority, by nearly a million and a half of people, to serve them publicly as Representatives. I hope you will advance to your duties with minds untainted by party acrimony, unswayed by selfish or interested motives, and that your session may be attended with harmony, wise counsel, and generous charity, and that your labors may so develop the material interests of the State, and promote the general welfare, as to make you merit the blessings of God and the gratitude of men.

I congratulate you that Kentucky is free from pestilence or civil commotion; that plentiful harvests have, during the past year, crowned the labor of husbandmen; that the financial condition of our State, as compared with that of Federal or State Governments, is exceedingly gratifying; that fraternity and friendship are supplanting passion and prejudice, and our educational, benevolent, and religious associations are daily becoming more active agencies of an enlightened and advancing civilization.

Our prosperity and progress proportionably increase representative responsibility. At no time in the past have the necessities of the Commonwealth more thoroughly demanded than now enlarged, prudent, and, at the same time, careful and economical legislation.

## FINANCES.

The financial condition of the Commonwealth is in a most healthy and prosperous situation, as will be seen by the following summary, made after careful examination from the Auditor's and Treasurer's Reports for the fiscal year ending 10th of October, 1875:

Amount of State debt 10th October, 1873, which consisted of bonds outstanding unredeemed . . . . .	\$531,394 00
Amount of bonds redeemed and paid from 11th October, 1873, to 10th October, 1874 . . . . .	\$315,000 00
Amount of bonds redeemed and paid from 11th October, 1874, to 10th October, 1875 . . . . .	32,000 00
Making amount redeemed and paid . . . . .	\$347,000 00
Balance remaining unpaid and outstanding 10th October, 1875. . . . .	\$184,394 00

Which bonds are as follows :

1 5 per cent. bond due and outstanding . . . . .	\$5,000 00
5 6 per cent. bonds due and outstanding . . . . .	5,000 00
Internal Improvement scrip due and outstanding . . . . .	394 00
109 6 per cent. bonds maturing in 1894 . . . . .	109,000 00
60 6 per cent. bonds maturing in 1895 . . . . .	60,000 00
5 6 per cent. bonds maturing in 1896 . . . . .	5,000 00
Total . . . . .	\$184,394 00

It will thus be seen, that in the last two years we have redeemed and paid off \$347,000 of the public debt, and there now only remains of bonds outstanding and unredeemed \$184,394, of which only \$10,394 are due. These bonds have not been paid because they have never been presented, and the interest on them ceased on the day they were due. The residue of these bonds are not due and redeemable until 1894-'5-'6.

To meet this indebtedness we had, on the 10th of October, 1875, the end of the fiscal year—

To the credit of the Sinking Fund . . . . .	\$153,559 07
230 United States 5-20 gold-bearing interest bonds, worth not less than 20 per cent. premium . . . . .	246,000 00
Making . . . . .	\$399,559 07
We also had, according to Report of Treasurer, exclusive of the amount to the credit of the Sinking Fund, a balance in Treasury 10th October, 1875 . . . . .	445,771 40
Total . . . . .	\$845,330 47



In addition to the foregoing resources, the State holds—

406 shares of stock in Bank of Louisville. . . . .	\$32,480 00
Bonds of Louisville and Frankfort Railroad. . . . .	74,519 50
Stock in Turnpike Roads. . . . .	243,033 00
Making . . . . .	<u>\$350,032 50</u>

Also 260 shares preferred stock Louisville, Cincinnati, and Lexington Railroad, and 2,178 shares Frankfort and Lexington Railroad, the value of which I cannot estimate, together with unadjusted claims against the Federal Government amounting to about \$340,000.

These claims against the Government are being audited and paid gradually, and I believe that at a day not very distant we will have had a full settlement. It affords me pleasure to be able to state that a claim for Internal Revenue tax, illegally assessed and collected on the interest of the State in profits or dividends and undivided earnings of certain banks, was allowed and a warrant sent to me by the Treasurer of the United States for \$28,726 45, in December, 1875, which has been duly paid to the Treasurer of Kentucky.

#### REVENUE PROPER.

For some years the annual receipts in the Treasury for the payment of current expenses of the State did not equal the annual expenditures, and a deficit occurred each year in what is known as the Revenue Proper. It is very gratifying to me to be able to show, by the following extract from the Auditor's Report, that the amount of revenue to the credit of the State, at the close of the fiscal year ending 10th October, 1875, after paying the current expenses, amounted to the handsome sum of \$361,604 25.

Amount received from 11th October, 1874, to 10th October, 1875 . . . . .	\$1,378,788 33
Add balance 10th October, 1874 . . . . .	241,741 17
Making . . . . .	<u>\$1,620,529 50</u>
Deduct warrants paid from 11th October, 1874, to 10th October, 1875 . . . . .	1,258,925 25
Balance 10th October, 1875, which is embraced in statement above . . . . .	<u>\$361,604 25</u>

#### WAR CLAIM.

The claim commonly called the "Kentucky War Claim," which is a claim against the General Government for expenses incurred by the State in defence of the United States during the war, is not yet all paid. A large amount has been collected and paid into the Treasury, and there was still due and uncollected 10th October, 1875, \$261,813 27. On the 23d of December, 1875, I received a warrant on the Treasurer of the United States for \$12,950 18 more of this claim, which I directed to be paid to the Treasurer of Kentucky, which leaves a balance due and uncollected of \$248,863 09.

Quarter-Master General Fayette Hewitt, acting under the advice and directions of the Commissioners of the Sinking Fund, has had the general supervision of this claim at Washington, and the energy and ability he has displayed in preparing and presenting and collecting the various installments, entitles him to great credit.

#### EDUCATION.

It affords me much pleasure to be able to state to you that our system of education continues to meet with the hearty approval of the great mass of our people. The day of factious opposition to common schools in this State is past, and the growth of public sentiment in their favor is one of the most pleasing features of progress that the friends of an advancing civilization have to contemplate. The Department of Education is one of the co-ordinate departments of the State Government, and our people are beginning to realize that the children of the State are its most precious treasures, and that among the trusts confided to those in authority there is none higher or more sacred than the training of our children in knowledge and virtue, and fitting them for the responsible duties which will hereafter devolve upon them. They have a right to demand protection and improvement from the State in their youth, and when they have matured, the State has a right to claim them as her protectors.

Washington spoke with prophetic voice when he said, "the perpetuity of our republican institutions depend upon the intelligence and virtue of the people." Under our system of government the children of to-day will soon become voters, law-makers, jurors, and judges. If educated, they may become an honor to themselves, and bright and shining lights in the social, mechanical, professional, religious, or political firmament. If neglected, they may fill our alms-houses, our prisons, our houses of infamy, and finally the "Potter's Field," with the unknown, unmarked, and unhonored graves of those who might have been, with proper educational facilities, ornaments to society and of service to their country.

Only a few years ago our people voluntarily imposed upon themselves a tax for school purposes, which, with the then existing tax, and with other resources, yields nearly one million of dollars annually. A school law has been passed to utilize this fund, and it has already been improved by amendments; but time and experience have proven that it has yet some imperfections.

It will become your duty to make such enactments as will cure any defects apparent in the workings of our school laws, so as to render them more efficient in securing and extending free instruction to every person in every section of the State.



I call your attention specially to the able and explicit report of our efficient and accomplished Superintendent of Public Instruction for the last school year. It will be seen that there are 5,693 school districts in the State, and that during the past year schools were taught in 5,627 districts, and that the school attendance has been increasing rapidly.

In 1869 the total number of Common Schools taught was . . . . .	4,477
In 1875 the total number was . . . . .	5,627
In 1869 the number of children reported was . . . . .	376,868
In 1869 the average number at school was . . . . .	112,630
In 1875 the number of children reported was . . . . .	437,100
In 1875 the average number at school was . . . . .	159,000
Increase of number reported in six years . . . . .	61,232
Increase of average attendance . . . . .	46,370

The success which the system has attained in the past is in a great degree due to the earnest and indefatigable efforts of superintendents, aided by professional educators and county commissioners.

In this age of improvement, progression, and advancement, there is no principle in modern theories of education so well attested as that to improve our schools we must improve the training and scholarship of the teachers. Observation and experience both show that our common school interests are clogged and retarded by the absence from our system of any provision for normal instruction. All our sister States, and all foreign countries supporting a regular system of popular education, recognize the necessity of providing for such instruction in some form at the public expense. True economy dictates that as little as possible of the money raised for school purposes should be lost upon wrong or inadequate instruction. It has been found that such unfavorable results may be avoided, in a measure at least, by the professional training of teachers. Teachers' Institutes have proven very serviceable in training and improving teachers; but Kentucky will not be fully upon the broad plane of educational advancement until arrangements are made for the establishment of Normal Schools.

#### COLORED SCHOOLS.

The last General Assembly passed a school law for the benefit of the colored children of the Commonwealth, giving to them, for educational purposes, all the taxes collected from colored people. The whole amount raised under this law during the past school year was \$21,660 68; other sources, \$12,996 60; making total amount raised for colored schools \$34,657 28; and there were 340 schools taught. The colored school system starts out with as large a fund and under as favorable auspices as attended the early establishment of white schools in Kentucky. It is hoped that the colored people will take hold of the system presented to them, and show that they appreciate it by earnest efforts to have their

children attend school. Their improvement of the opportunities offered may induce the Legislature after awhile to increase their educational facilities. Persons who seek to make the colored people dissatisfied with the system that has been provided are doing them a great injury. They should rather stimulate and encourage them to appreciate such educational facilities as are furnished them. Nothing is ever perfect or entirely satisfactory in the beginning; and any attempt to blight the colored school system should be condemned by all who desire to see the colored people improved, Christianized, and elevated.

#### THE GEOLOGICAL SURVEY.

A Geological Survey of Kentucky was commenced in 1854, and continued until 1859 by Professor David Dale Owen. This distinguished Geologist and his able and scientific assistants prosecuted their work with commendable zeal and skill, and the result of their labors is embodied in valuable reports; but in the time and means at their command it was impossible to finish the work.

A complete and detailed Geological Survey, that will ascertain the correct geography of the State, describe its various geological formations, designate its immense coal and iron fields, analyze the various soils and mineral waters, locate the inexhaustible saline deposits, describe its varieties of timber and building stone and clays, tell of the fauna and the flora of each region, furnish a mineralogical collection, including specimens illustrative of the metallurgy of the State, indicate routes by which all this natural wealth may be made accessible, so as to stimulate industry and skill, advertise our hidden wealth, and increase our capital and population, has long been needed and demanded in Kentucky.

I am gratified to be able to state that the Geological Survey of the State authorized by act of the Legislature approved March 22d, 1873, and which has been diligently and skillfully conducted under the direction of Prof. N. S. Shaler, is rapidly approaching completion, and will not only meet this demand, but will be of incalculable benefit to Kentucky.

Prof. Shaler has had competent geological corps at work under his supervision in the Eastern, Western, and Middle parts of Kentucky, and his reports already fill four volumes, which will soon be ready for delivery.

Valuable aid has been given to the Geological Survey by a United States Coast Survey party, who have been engaged in Kentucky during the greater part of 1875. The work of making a Geodetic Survey is to be continued to its completion, if the Geological Survey is kept in operation, and will relieve it of an annual expense of several thousand dollars, besides securing a very high order of work.

The Harvard Summer School of Geology was established through the influence of Prof. Shaler in this State during the past summer, and many learned and scientific men from other States attended this school, and have their co-operation in the Survey, and will scatter broadcast over the Union and beyond its borders the information they received here of the resources, attractions, and wealth of Kentucky. If the Geological Survey is continued, this school will be returned to this State.

The value of this Geological Survey to the citizens of Kentucky cannot be overestimated. When completed, it will present to the world such mineral wealth, magnificence of forest, fertility of soil, salubrity of climate, and immensity of natural resources, as cannot be surpassed by any other State. It has occupied but little time, and its cost has been less than that of similar enterprises in other States. So far as the work is reported, it is everywhere highly commended. A great Commonwealth endeavoring to set before the world its wealth of resources should seek the largest material return for its expenditure, but should not narrow its bounds or hamper its work by a too rigid economy. In my judgment, the interest of our State requires its completion. It would be an unwarranted waste of time and money to abandon it now.

It will help us greatly to secure our share of the foreign capital and labor which is seeking a new home in this country, and it will give to our citizens an adequate idea of the greatness of their heritage, and stimulate and encourage their energies and their hopes. I therefore recommend that you appropriate such sum of money as will enable the State Geologist to prosecute his work to completion.

#### IMMIGRATION.

Labor makes capital, and labor and capital together give life and impetus and strength to a State or a nation. He who contributes to the development of our hidden resources augments our revenue, increases our wealth, and adds to the greatness of our State. In Kentucky we need that greatest and most important wealth of a community—human beings. Our State has 37,680 square miles of territory, situated midway between the northern and southern portions of the Union, with as many advantages, facilities, and attractions as any other State or country in the world. While the United Kingdom of Great Britain and Ireland has an average population of 239 persons to the square mile, the North German States 227, and Belgium 442, Kentucky only has 33 persons to the square mile. All our interests demand the adoption of a policy which will liberally encourage immigration. Without it, we cannot hope to secure any considerable share of the population constantly landing on our shores from other nations. The advantages to immigrants that exist in Kentucky would be certain to enlist their attention, if properly placed before



them; but these advantages are almost unknown, and will remain so unless a more vigorous policy is adopted to encourage immigration.

According to the report of the New York Commissioners of Immigration for the year 1872, there arrived at that port from various parts of Europe 291,297 immigrants, whereof 34,000 were destined to Illinois, 30,000 to Pennsylvania, 16,000 to Ohio, 13,000 to Wisconsin, 12,000 to Michigan, 6,000 to Minnesota, 4,000 to Missouri, 3,700 to Indiana, and *only eight hundred to Kentucky.*

Thus it is, year after year, thousands of immigrants find homes in the far west. Their value to the States where they locate amounts to millions of dollars outside of the money and goods they bring with them. Kentucky loses this much-needed wealth almost entirely, because no effort has been made to foster and encourage immigration. If we could get our average share of these immigrants to cultivate our soil, to level our forests, to build our railroads, to work in our mines, to improve our cities and beautify our waste places, we would have thousands of sturdy arms added each year to our working force, and an increase of valuation within the State of from ten to twenty millions of dollars. More than one half of this increase would go to the land-holders, for statistics show that the larger part of immigrants are general laborers, and therefore their labor increases the value of the soil and its products.

It is now apparent in Kentucky that our native labor, white and colored, is insufficient for our present necessities. In the last decade one class of our laborers have decreased in both the quantity and quality of their work. For additional labor we must look to Germany, France, Ireland, Scotland, Sweden, and other parts of Europe. If we desire to increase our population and develop our industrial and mineral wealth, we must endeavor to turn the tide of European immigration to Kentucky. How to make it to the interest of immigrants to make their future homes in our Commonwealth, and how to display to them the rich attractions and benefits which Kentucky possesses, are questions which demand your deliberate and earnest consideration. You can do much to accomplish their solution by liberal and prompt legislation, and that, too, without great cost. The dissemination abroad of information as to our resources, our climate, our social and political condition, our schools, our freedom of religious opinion, the varied character of our soil, cost of land, maintenance of law and order, and low rate of taxation, is essential to attract immigrants.

The selection of accomplished and eminent citizens as agents, who understand the business, and who would be received everywhere cordially, and their statements credited in the official circles of any country, is another requisite; and the system would not be complete without embracing in its details provisions for ascertaining the wants of the vari-

ous sections of our Commonwealth, and pointing out favorable locations for those who desired to settle among us.

All of our neighboring States have given much attention to immigration, and I hope this important subject will be carefully considered by you, and that you will devise some practical mode, either by separate or conjoint agency with other States, to realize some of the great advantages which must result from giving it substantial aid and encouragement.

#### CENTENNIAL.

The one hundredth anniversary of the Declaration of Independence is to be celebrated in the city of Philadelphia by the holding of a Grand International Exposition for the display of our arts, products, minerals, manufactures, live stock, &c.

The indications at present are, that it will be an event that will always be remembered in the history of our Republic, and that in grandeur of display, magnificence of arrangement, and in the multitudes that will assemble, it will equal and perhaps surpass any similar Exposition ever held in the world.

In addition to its being an occasion where by the display of our most valuable interests, we may attract the attention and command the admiration of all the civilized powers of the earth, it will also furnish a grand opportunity for men of every section of our common country to come together in fraternity and friendship, and, forgetful of the sorrows and struggles of the past, pledge anew their devotion to Liberty, Free Government, and Equal Rights.

The reception of articles for the exposition begins January 5th, and ends April 19th, 1876; and the exhibition will be opened May 10th, and continue every day, Sundays excepted, until November 10th, 1876.

The articles to be exhibited have been classified in seven different departments, as follows: Mining and Metallurgy, Agriculture, Manufactures, Education and Science, Art, Machinery, and Horticulture. In addition to these, the Women's Centennial Executive Committee have raised thirty thousand dollars for the erection of a pavillion, in which to exhibit every kind of women's work, and arrangements have also been made upon a large scale for a live stock exhibition.

The foreign governments which have formally agreed to take part in this International Exposition, and appointed commissions to superintend the exhibition of their citizens, are Germany, France, Great Britain, Spain, Sweden, Persia, China, Egypt, Ecuador, Denmark, Japan, Chili, Brazil, Bolivia, Belgium, Turkey, Mexico, the Argentine Confederation, and sixteen other smaller Powers not necessary to mention, comprising almost every Government in Europe, South America, and some of the more distant Eastern Powers.

Advisory State Boards, charged with representation of their respective Commonwealths and their citizens in the Exhibition, have been officially formed in thirty-three States of this Union and six Territories, and offices and head-quarters of considerable architectural beauty have been constructed by Pennsylvania, Ohio, Indiana, Illinois, Missouri, Virginia, West Virginia, Delaware, Connecticut, Michigan, New York, New Jersey, Massachusetts, New Hampshire, Kansas, Nevada, Wisconsin, and Iowa. Thirteen States have appropriated money, ranging from five thousand up to one million and a half of dollars, to aid in the display of their articles, and other States have appropriated smaller sums.

Kentuckians will naturally ask what has Kentucky done toward being represented at this grand gathering of the States of our Republic, and of the civilized nations of the world? *I answer, she has done virtually nothing.* In the list of thirty-three States that have appointed Advisory Boards, the name of Kentucky does not appear. In the long list of States which have erected buildings on the Centennial grounds, or which have appropriated money for the collection and display of articles, Kentucky's name is not found.

When the act of Congress which provided for "celebrating the one hundredth anniversary of American independence, by holding an International Exhibition," was passed, it authorized the creation of the United States Centennial Commission, and directed that this body should be composed of two Commissioners from each State and Territory, nominated by the respective Governors and commissioned by the President of the United States. These two Commissioners were appointed in Kentucky, and that is all that has been done. There being no meeting of the General Assembly of our State last winter, the legislative department of Kentucky has had no opportunity to consider this exhibition since it was established on a firm basis.

The estimate that the world at large will form of the several States of our confederation will largely depend on the display made by them at this, our first National Exhibition. Shall Kentucky fail to take her proper place there, where all the nationalities of the world will be brought face to face? Shall she fail to advertise on this world-wide stage her arts, products, minerals, and manufactures? Have Kentuckians no desire to encourage immigration and attract capital to our State by displaying our attractions there?

Are our inexhaustible and varied minerals more profitable where they lie hidden in the depths of the earth than if brought forth by sturdy laborers to build railroads, found industries, and expand our commerce and wealth? Are our vacant, unoccupied lands, more profitable in their pristine loveliness, and our fertile fields more valuable while half tilled,



than if they were peopled with thousands of thrifty immigrants, who would flock hither if they appreciated the natural advantages of our Commonwealth? Are we ashamed of our unequaled products, such as tobacco, hemp, corn, wheat, and rye, or of our magnificent horses and cattle, hogs and sheep, that we should decline to participate in this exhibition? These are questions for you who constitute the legislative department of this State to answer. I recommend that you promptly make such enactments as will cause our Commonwealth to be fully represented at the Centennial Exhibition, and that you make such an appropriation of money, to be used for the display of Kentucky's arts, products, minerals, manufactures, and live stock, as in your wisdom you may deem proper.

#### AGRICULTURE.

I cannot call your attention to any subject that is more interesting or important than agriculture. It is the foundation of all other interests.

The cultivation of the soil was the first and earliest occupation of the human race. In the olden time the rich harvests of husbandmen gave good cheer and comfort and prosperity to all men, and to-day, if the farmer prospers, the tradesman, the merchant, the mechanic, the professional man, prospers also.

Kentucky is an agricultural State, and you cannot foster and encourage our farming interests too much. By regulating our labor system; by establishing fair rates for the transportation of our stock and farm products to market; by resisting monopolies and by opposing ruinous taxes or exorbitant rates of interest; by encouraging farmers to come together for consultation and for comparison of opinions, and by stimulating the growth and expansion of our agricultural interests in every way, you will confer an inestimable blessing upon the Commonwealth and the people.

I wish it was in your power to remove or modify the incubus which has been placed upon the farming interest by certain tariff laws, which, under a system of favoritism miscalled protection, gives no increased price for what the farmer of Kentucky raises and desires to sell, but nevertheless compels him to pay an enhanced price for what he needs and has to buy; but this is regulated by the Federal Congress, which, it is hoped, will early consider this much-needed reform.

#### BUREAU OF AGRICULTURE AND STATISTICS.

I have long believed that a Bureau of Agriculture and Statistics would be of great benefit to Kentucky. In the short time that I have been Governor, I have repeatedly been called upon for statistics of the Commonwealth which neither the Executive office nor any of the State officers could supply.

Many of our sister States have Agricultural Bureaus, and quite a number have Statistical Bureaus; and wherever their beneficial influences are known, they have not been abandoned. I know no good reason why both should not be united in our State, so as not only to improve and benefit our agricultural interests, but also furnish such statistical information as would be beneficial to all classes and all industries.

By means of a Bureau of Agriculture and Statistics citizens of Kentucky, and of other States, and even of other nations, might receive annually a report of the agricultural, mechanical, commercial, and educational condition of every county in the Commonwealth, giving in detail the quantity and quality of land under cultivation; the kinds, amounts, and value of the annual field crops; the annual productions of mines, orchards, gardens, and dairies; the quantity and value annually of our domestic manufactures; the kinds, the value, and the increase of our live stock; annual products of mechanical industry and skill; the value of our exports and imports; the number of miles of railroads, turnpikes, canals, and navigable streams; the names, locations, and populations of cities, towns, and villages; the number and value of school-houses and churches; the names, number, capital, and purposes of incorporated companies and charitable institutions; together with such other vital, social, physical, or political statistics as might seem proper.

Such information as this, properly collated, digested, and diffused through our country and Europe, would not only be of immense benefit to us at home, but it would cause Kentucky to be properly regarded abroad, and would be effective in inducing many of the better class of immigrants to seek homes in this State. It is really a matter of surprise that Kentucky, with her great agricultural, mineral, industrial, live stock, and general statistical wealth, should have delayed until now the establishment of a Bureau of Agriculture and Statistics.

#### THE AGRICULTURAL AND MECHANICAL COLLEGE.

This College is now located at Lexington, and although it is one of the Colleges of Kentucky University, it is a State Institution. It was intended to be the School of the People. They own it, and they should profit by it.

The Congress of the United States passed an act July 2d, 1862, entitled "An act donating public lands to the several States and Territories which may provide Colleges for the benefit of Agriculture and the Mechanical Arts." By this act Kentucky was entitled to receive public lands to the amount of 30,000 acres for each Senator and Representative then in Congress, for the *endowment* of one or more Colleges. The Legislature of the State, by an act passed January 27th, 1863, accepted the grant with its conditions, and soon thereafter Kentucky received 330,000 acres of

public land ; which was sold for the sum of \$165,000, and which, according to the act of Congress, is held as a permanent endowment fund, and the income or interest upon this fund is used for the benefit of the Agricultural and Mechanical College.

By an act approved February 22d, 1865, the General Assembly of Kentucky established the Agricultural and Mechanical College of Kentucky, and located it at Lexington as one of the Colleges of Kentucky University ; but reserved the right to "modify or repeal at pleasure so much of this act as refers to the establishment of the Agricultural and Mechanical College."

"The leading object of this College is to teach such branches of learning as relate to agriculture and the mechanical arts, including military tactics, without excluding other scientific and classical studies, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life."

The State annually pays the Curators of Kentucky University \$9,900, being the interest on the endowment fund ; and in consideration thereof free tuition was agreed to be furnished to three students from each Legislative District in the Commonwealth, who were also to have the right to receive, free of charge for tuition, the benefit of instruction given in any College of the University, except the College of Laws and of Medicine and the Commercial College.

The Agricultural and Mechanical College was an institution long needed in our State, and it was hoped that it would become an honor to the Government, the pride of the State, and a blessing and bounty to the industrial classes of Kentucky. For the first few years it prospered, so that at the session of 1869-'70 there were three hundred students in attendance, being the full number authorized by law ; but the number of students in attendance has decreased from year to year, so that, at the present time, there are only 80 in attendance.

Congress and our Legislature intended this College as a great benefaction, not only opening free avenues to poor but worthy young men to obtain an education, but also to specially instruct our teeming, thriving population in all those studies bearing upon Agriculture and Mechanics, and furnish teachers for our free schools.

The amount of interest annually paid on the endowment fund out of our Treasury is nearly enough to support a good State institution of learning. In the last few years we have seen the citizens of one county donate one hundred thousand dollars to secure the location of a University in their midst, and another county offered the same amount in order to get the University. It is probable that there are counties to-day in Kentucky



whose citizens would willingly subscribe money enough to construct the necessary buildings, if by so doing they could secure the Agricultural and Mechanical College.

We should establish and maintain with the interest or income of the endowment fund created by the sale of our public lands a good non-sectarian and non-political institution of learning for the promotion of liberal and practical education, where instruction will be given in all such branches of learning as relate to agriculture and the mechanical arts, and including also scientific and classical studies.

The act establishing this College at Lexington as one of the Colleges of Kentucky University reserves the right in the General Assembly to control its location, and you are at liberty to let it remain where it is or connect it with some other College or University in the State, or to conduct it as an independent State institution. If removed, I believe it can be conducted and maintained with much greater benefit to the Commonwealth as an independent State institution. I invite to this important subject your most attentive consideration, and ask you to do that which you believe will benefit this School of the People.

#### FISH CULTURE.

The United States Government has thought fish culture of so much importance as to make an appropriation and appoint a commission for the general introduction of fish into the waters of all the States which will make proper provision for their protection. Interest in pisciculture is becoming annually more general, and commissioners on fisheries have been appointed in all the New England States, together with New York, New Jersey, Pennsylvania, Virginia, Alabama, California, and Connecticut; so that the time seems near at hand when almost every State in the Union, together with the National Government, will be engaged in the work of furnishing their people with cheap and wholesome food by cultivating and developing their fish resources.

The extent of unimproved waters in Kentucky is incalculable, and they can be utilized so as to yield thousands of dollars annually.

Every farmer in the State may raise his own fish as readily as he can his pork or poultry, and with far less cost and care. Fish eggs can be secured, transported, and hatched with as much certainty as those of fowls, and the yield will be much more abundant, and the cost nominal. Experiments have proved that there is no water so cold or so warm, so muddy or so clear, so calm or so turbid, but that some kind of good edible fish will be found to thrive therein.

In this State the importation of fresh fish from the lakes is very heavy. It is estimated that hundreds of thousands of dollars are annually paid out for lake fish in Kentucky. With our numerous rivers, creeks, and

ponds, and a judicious system looking to the protection and propagation of fish, we might in a few years have abundance of salmon, shad, pike, bass, and other fish equally as good as the lake fish. This subject is no longer an experiment, and it is worthy of your investigation and consideration.

#### ASSESSMENT OF PROPERTY FOR TAXATION.

Taxation, to be just, must be equal, or as nearly so as is practicable. A system of assessment and valuation of the property in the State, so as to have the burthens of taxation equally distributed, should be the desire of all; but how to secure a just and equal assessment is a problem beset with intricate difficulties that have been much discussed by statesmen and legislators, but no entirely satisfactory solution has as yet been attained.

An examination of the Auditor's Reports will show, that during many years in the past both lands and live stock in our State were unequally, and therefore unjustly, assessed. In many counties they were assessed at not much over half their value, while in a few they seem to have been valued correctly. To remedy this inequality, as well as others connected with our system of taxation, an act was passed in 1874 directing "the Governor, Auditor, and Attorney General to prescribe a form of blanks for assessment, to be furnished by the tax assessor to each taxpayer" for a more convenient and efficient system of taxation. This enactment has had a most beneficial effect.

The aggregate valuation of all taxable property, as returned by the assessors for the year before the law was enforced, was \$390,629,693. For the year 1875 it is \$417,602,688; showing a net gain in the valuation of all taxable property, even in times of financial distress, when property is not increasing in value, of \$26,972,995, and an amount of tax collected in 1875 of \$121,378 48 more than in 1874, although the rate of taxation remained the same.

In this connection I cannot refrain from calling attention specially to the subject of

#### TAXATION FOR CORPORATIONS.

It is common for the General Assembly to grant authority to counties, municipalities, and sometimes to justices' districts, to subscribe for stock in railroad or other corporations, provided the constituted authorities submit the question of subscription to a popular vote, and a majority of the votes cast order it, and then a specific amount of stock is subscribed in the corporation, and a tax is imposed on the property of the locality for its payment.

Many of the States have, within the last few years, revised their respective constitutions, and have prohibited their Legislatures from

granting such authority as this; but in this State our highest judicial tribunal has, in a chain of decisions from the case of *Slack vs. The Maysville and Lexington Railroad*, decided twenty-three years ago, on down to the case of *Shelby County Court vs. The Cumberland & Ohio Railroad Company*, maintained the constitutional power of the General Assembly to grant such authority. While, therefore, I do not propose to call in question your constitutional power on such subjects, yet I believe legislators should use the very greatest care and caution when called on to delegate such power to voting majorities, especially in these times, when, under the operation of the Fifteenth Amendment to the Constitution of the United States, a majority of voters without property and but little intelligence, may impose upon the objecting property-holders of a community a burdensome debt, of which the majority will pay almost nothing.

We are justly proud to-day that our State debt is very small, and that we have more than sufficient to pay it off; yet while this is the case with our State, there are counties, districts, and cities in our Commonwealth which, under this authority, have had burdens in the way of debt and taxation imposed upon them by a voting majority that are exceedingly oppressive. I trust, therefore, that, if you should give to a corporation the right to have the question of subscription of stock submitted to a popular vote, which, if carried, will result in imposing a tax for its payment on the citizens and property of the locality, that you will give every safeguard and protection which in your wisdom may seem right and proper to the people who are immediately interested in the enactment.

#### MILITIA.

The reports of the Adjutant General and Quarter-Master General will hereafter be laid before you. Our militia law is in many respects defective, and it is inadequate to secure a good military organization, or even to be enforced with harmony and satisfaction. Under the law creating a Militia Fund, there will soon be ample means to maintain and support a good system. The officers and men of the *volunteer* militia should be selected with care, and because of their ability and zeal to build up the organization and make it the pride of the State and worthy to be sustained and encouraged. An examination of the militia law will disclose to you its defects, and convince you of the necessity for its revision.

#### CHARITABLE INSTITUTIONS.

Actuated by a spirit of commendable philanthropy, the State of Kentucky has, with munificent liberality, established and is supporting a noble system of charities. Our charitable institutions contain the wards



of the State, and they were maintained during the past year at the cost of \$314,353 09.

They are, therefore, entitled to much of your consideration; and while our people look with pride and confidence upon these monuments of their liberality, they have a right to expect the utmost care and economy in their management. In addition to the cost of our charitable institutions, the amount expended during the past year for idiots was \$39,396 04.

The reports of our THREE INSANE ASYLUMS, known as the "First Lunatic Asylum," located at Lexington, the "Second Lunatic Asylum," located at Hopkinsville, and the "Central Lunatic Asylum," located at Anchorage, are herewith submitted to you. They all exhibit a satisfactory condition, both in their general management and in the affectionate care and varied amusements with which the stricken and unfortunate inmates are treated.

All of our Lunatic Asylums are now about full. Before another Legislature convenes many, I fear, will have to be turned off, and then will be confined in jails or guarded in private families, unless a remedy is provided by the present General Assembly. There are in each Asylum a number of imbeciles; in some instances sent from the alms houses of certain counties, and in others sent to the Lunatic Asylum because they are helpless and a burden to their families or friends. These persons are harmless and are not lunatics, according to the proper acceptation of the term, and they would be better off at home among their friends and relations. If the present law is amended so as to make the President of the Board of Managers of each Insane Asylum, and the Superintendent thereof, and one competent physician not connected with the Asylum, a board to examine and gradually retire these imbeciles to their homes, to be supported as idiots are by annual State aid, there would soon be plenty of room for those afflicted with mania.

#### KENTUCKY INSTITUTION FOR THE DEAF AND DUMB.

The Institution for the Deaf and Dumb, located at Danville, was founded in 1823, and has been in operation for fifty-two years. It is under the control of a Board of Commissioners appointed by the Governor, and is a School for the *Education* of the Deaf and Dumb. Every deaf mute in this Commonwealth, between the ages of ten and thirty, who is sound in body and mind, is entitled to the benefits of this Institution, free of charge for board and tuition, for a term of seven years. It is in a most prosperous condition, and annually sends out males and females whose intelligence and accomplishments attest the remarkable success of this Institution.

The Annual Report of the Kentucky Institution for the Deaf and Dumb will be laid before you.

## INSTITUTION FOR FEEBLE-MINDED CHILDREN.

The report of the Superintendent of the Institution for the Education and Training of Feeble-minded Children, which is situated near Frankfort, and in most excellent condition, is also submitted to you.

By an act approved February 23d, 1874, it is declared, that this "institution is not an asylum for the custodial care of unimprovable idiots, but a School for the Education of Feeble-Minded Children." All such children between the ages of six and eighteen years can here find a home and facilities for mental improvement, free of charge for not exceeding ten years. It is a well known fact, that feeble-minded children cannot receive the instruction they need, or the attention required, in the ordinary schools of the country, and on this account they are often withdrawn or entirely kept away from school. In this Institution every effort is made to fan the feeble mental spark into a flame, and many are here learned to support themselves who would otherwise be abandoned to hopeless imbecility, and become a burden to the State. Its good effects have been felt in many a household and by many unfortunate human beings.

## INSTITUTION FOR THE BLIND.

The Kentucky Institution for the Education of the Blind, located at Louisville, and intended to furnish facilities for education to children in this State between the ages of six and sixteen years, free of charge, whose sight is so defective as to prevent them from getting an education in the ordinary schools, is well attended. The improvement and general accomplishments of the scholars are such as to be very surprising to persons not familiar with the remarkable success of such Institutions. I commend the Report of the Superintendent of this Institution to your careful consideration.

I have visited some of the charitable institutions of Kentucky. Many of them report to me monthly, and all of them report at stated periods, showing in detail the amount of expenditures, with vouchers to support them—all of which I have recorded and filed in the Executive Department; and I believe our charitable institutions will compare favorably with those of any other State in the Union.

## PENITENTIARY.

One of the most important, and at the same time one of the most difficult, problems that will be presented to you for solution, is what legislation is necessary for the benefit of the State Penitentiary.

The Report of the Keeper of this Institution will be laid before you in due time, and I herewith present for your careful consideration the last report of the Inspectors of the Penitentiary.



There were in the Penitentiary on the 31st day of August, 1875, when I was inaugurated as Governor—

Convicts. . . . .	757
Received since 31st August, 1875 . . . . .	218
<hr/>	
Making . . . . .	975
Discharged by expiration of term of sentence since August 31st, 1875. . . . .	80
Number of deaths since August 31st, 1875 . . . . .	6
Discharged by Executive pardon since August 31st, 1875 . . . . .	4
Escaped since that time. . . . .	4
<hr/>	
	94
<hr/>	
Leaving in Penitentiary December 30th, 1875 . . . . .	881
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The number of cells in the prison is 684, and there are therefore 197 more convicts confined within its wall than there is room for, or than proper regard for health makes allowable. Such is its crowded condition that the Keeper has been compelled to place two convicts in many of the cells, which is not only a violation of the law that requires solitary confinement, but is also in opposition to the opinions of the best writers on prison discipline.

An examination of the reports of the various Keepers of the Penitentiary since 1865, shows an amazing increase in the number of convicts.

January 20th, 1865, there were in the Penitentiary . . . . .	201
January 1st, 1870, there were in the Penitentiary . . . . .	653
December, 1875, there were in the Penitentiary . . . . .	881

This great increase is owing, to a considerable extent, to the augmentation of crime among colored persons—there being only about 20 colored persons in the Penitentiary in 1865, while there are now 497 in the Penitentiary.

This remarkable rate of increase shows, that, long before the next Legislature meets in regular session, the number of convicts will be over one thousand.

I therefore most earnestly recommend that you, without delay, by appropriate legislation, afford such relief as you think is right and proper.

There are three ways of relief that are suggested. The first is to enlarge the existing Penitentiary by extending the walls and taking in more ground and erecting other buildings. The second is, by building a Branch Penitentiary in some other part of the State; and the third is, to authorize the Keeper to work the convicts outside the prison in coal-mines, on railroads or river improvements.

All of these plans are, to a certain extent, objectionable. The enlargement of the existing prison will require heavy expenditure of money, and still further add to the crowded human mass which many competent persons declare is already too large for health or usual protection from epidemics. The branching of the Penitentiary will also involve great expenditure of money and a new set of officers and guards, and this plan has not generally given satisfaction where it has been tried. The working of the convicts outside of the prison, under guard, with strong inclosures for their confinement at night, while objectionable in some respects, is said by some prison writers to be less objectionable than either of the other plans. In almost every Southern State convicts are now being worked outside of the penitentiary inclosures, and, so far as I have heard an expression of opinion, the authorities seem to be satisfied with the new arrangement.

The management, discipline, and operations of the prison, under the present Keeper, seem to me to be as satisfactory and prosperous as the situation and surroundings will allow. The convicts are comfortably clothed, and fed with substantial and wholesome food, and religious services are regularly held for the benefit of their spiritual wants; yet I am satisfied, after a careful study of this important subject, that our prison system requires a careful revision. Enlightened civilization is advancing in everything, and it is not in harmony with the progress of the age that we should make no improvement in prison management and discipline. The object of legal punishment is not only to deter others from crime, by punishing the offender, but, by suitable reformatory means, to prepare the prisoner for his future life among his fellows. The great International Prison Congress, held in London in 1872, declared that convicts could be reformed, and in that declaration the soundest and most accomplished students of penitentiary science everywhere concur.

In the first law passed in Kentucky, by which the Penitentiary was established, it is declared in the preamble, that the purposes of its institution are "to establish a more humane system of punishment of crimes than that of death, to make an effort for the *reformation* of offenders against the public, and to make restitution and reparation for the injury done," &c.

While there are cases where mercy to the criminal would be cruelty to the State, still I do not believe that we should, by our prison system, strive to inscribe over the gates of the Penitentiary the words that were inscribed over Dante's Inferno, "Let all who enter here leave hope behind;" for hopeless despair paralyzes every virtue, and often makes men try to forget their wretchedness in the wild excitement of great crimes. We should rather make the prisoner feel, that though severely

punished, he is not forgotten; that the law surrounds him with incentives to repentance and reformation, and that he should "rejoice in hope and be patient in tribulation."

Reports in reference to prison discipline received from other States, as well as nations, prove conclusively that all reformatory measures that have been fairly tried have met with considerable success. I believe that good can be accomplished by the classification and separation of the prisoners; so that the hardened malefactor will not be the daily companion of the youthful novice in crime. In many instances the innocent wife and starving children feel the results of a husband or father's crime more than the criminal himself; and I can see no good reason why a convict should not be allowed to earn money after his task is performed for the benefit of his penniless, friendless, suffering family at home. I am of the opinion too that commutation of the imprisonment of the convict, so that he can take off a month or a certain time each year that he is industrious and conducts himself meritoriously, will not only improve the general deportment of the prisoner, but cultivate in him habits that will be beneficial upon his re-entrance into society.

Of the large number of convicts now in the Penitentiary, 396 were sent there for grand larceny, and the larger part of these are young men, young women, and boys, who were convicted for stealing property of value less than twenty dollars. As they are usually sent for only one or two years, they are often an expense to the Keeper, and they are both disgraced and contaminated by their confinement in the Penitentiary; so that young persons are ruined who otherwise might be reclaimed. The amount necessary to constitute grand larceny is larger in every Southern State whose laws I have examined than in Kentucky. In some of them the amount is twenty dollars, and in one it is twenty-five dollars. I recommend that the law be so amended that the property stolen shall be of the value of fifteen dollars to constitute grand larceny, under that sum, the offense to be petit larceny, punished by confinement in the county jail or in the county work-house at hard labor.

In the female department of the Penitentiary, which has not been finished very long, no vaults have ever been constructed, and no sewer has been made to carry away the filth. The stench is not only exceedingly offensive, but is apt to produce disease and invite epidemics. It is quite practicable to construct a short sewer leading from this department to the main sewer which leads to the river, and the cost will be small. I respectfully suggest that this should be done without delay.

#### INSURANCE.

Insurance is a subject of great importance to the people of Kentucky. The interests of widows and orphans are involved in the solvency and

good management of the various insurance companies doing business in this State. They are trustees of the hard earnings of thousands of honest hard-working business men, who by insurance seek to guard against the loss of their property by fire, and they are the agents that fathers, husbands, and brothers expect to support and maintain their loved ones when death shall have deprived them of their natural supporters and protectors. The large proportion the business has assumed, and its rapidly increasing importance, demands proper legislation and calm consideration from you; and it is an interesting proof of the safety of this business that the solvent companies zealously solicit legislative supervision as an aid to their success and a protection against the unequal and improper competition of spurious companies.

The Insurance Bureau of Kentucky was organized in June, 1870, under an act approved in March previous, and the injury sustained by many persons on account of the failure of spurious companies prior to that time proved how necessary it was to have State surveillance over these companies.

The number of insurance companies regularly authorized to do business in Kentucky at present is 124. Of these, 108 are fire, and 16 are life companies. One of the life and fourteen of the fire companies are organized under the authority of this State; 81 of the fire companies are of other States; and thirteen are of foreign countries. In addition to these, there are a number of co-operative semi-benevolent institutions incorporated by authority of this State, that propose to pay losses by voluntary contributions collected after the losses occur. No company of this class from any other State or country has been allowed to do business here since the passage of the general insurance laws in 1870.

The amount insured upon property and lives of the people of this State by the regularly organized companies, so far as reported to the Commissioner on the 31st of December, 1874, was \$100,720,124. Premiums paid during that year, \$2,364,201. Losses paid in Kentucky that year, \$829,583.

This immense business is required to be watched and guarded without any expense to the State; for the law provides that "the State shall not be responsible for the expense of the establishment and the future management of the Insurance Bureau, but the same shall be provided for and paid, by the fees and allowances named by the act;" and if there is any deficiency, the Insurance Commissioner is authorized to assess an equal amount upon each insurance company doing business in this State to defray the expenses of the Bureau. The force employed in the Insurance Bureau is the Commissioner, Deputy Commissioner, book-keeper, and one clerk.



The work was heavier and the details more elaborate when the Bureau was first established, and therefore, from the time of its organization in June, 1870, to the end of the fiscal year, October 10th, 1871, the expense amounted to \$25,609 49. The work has now decreased, and the efficiency of the clerks has increased, and a smaller number can attend to the business, so that the expense of the Insurance Bureau for the last year was \$13,641 66, which has nearly all been paid by the fees collected by the Bureau during the last fiscal year, amounting to \$6,390 51, and the assessment upon the companies amounting to \$7,251 15. We have only to compare this expense with the latest official reports of the expenses of Insurance Departments in other States to prove that in Kentucky this new department has been well managed. In New York the expense of the Insurance Bureau for the last year was \$87,197 95; in Massachusetts, \$26,011 15; in Connecticut, \$17,478 85.

Among the notable events of the year 1875 was the National Insurance Convention, held in the city of New York in September last, and composed of the insurance officials of the various States in the Union. All the principles that underlie State supervision, together with the duties and powers of State officials, the legal remedy proper for emergencies, the safeguards for companies against dishonest officials, and patrons against dishonest corporations, the deposits companies should make in order to guarantee their solvency, and the execution of their contracts, uniformity of annual returns, and many other interesting questions, were discussed.

One of the reforms secured was the recommendation of a uniform blank for annual returns, which has already been adopted and put in use by the Superintendents of a number of States. The Convention also considered a general insurance law, the object of which is uniformity in the insurance laws of all the States; so that by the concurrent action of the States we would have a law with the scope of a Congressional statute, protecting the interests of the whole country, and infringing upon the rights of no section.

I am gratified to be able to state that Kentucky was ably represented in this Convention by the distinguished and efficient gentleman who organized the Insurance Bureau of Kentucky, General G. W. Smith, whose clear and intelligible exposition of insurance, and whose earnest efforts in behalf of the Bureau of which he was Commissioner, has been of incalculable service to our Commonwealth.

It is quite common now for insurance companies to resist the payment of losses after the death of the assured or the destruction of the property is properly proven, and thus get a compromise. This resistance is sometimes wholly unwarranted by law, and persons intended to be

benefited by insurance are thereby made to suffer. I suggest that you so amend the law as to require the beneficiary under the policy to be paid within a stipulated time after the insurance money is due; and if the company fails to pay within this time, that the assured shall be entitled to recover not exceeding twenty per cent. of the amount insured in damages, to be ascertained by a jury if it should be determined that the insurance money is legally due.

HON. JOHN C. BRECKINRIDGE.

It is my melancholy duty to announce to you the death of one of Kentucky's most illustrious sons. John C. Breckinridge—the idol of our State, respected and loved without regard to party—has closed his mortal career. Throughout our Commonwealth and the entire South universal grief was produced by his death, and in every section of the Union noble tributes have been paid to his memory.

A State or a nation is elevated and given character at home and abroad by its great and good men. They reveal its existence and give to it prominence. By them the mass of their fellow-countrymen are measured. No man ever lived in this Commonwealth who reflected more honor upon his State, or whose career was more intimately interwoven with its annals than his. He was a Representative in the State Legislature, in the lower house of Congress, in the Senate of the United States, on the battle-fields of Mexico and the South, and was presented by Kentucky and elected Vice President of the Republic. He was valiant as a soldier, able as a lawyer, noble as a citizen, great as a statesman, and whether in the field, in the forum, in the Senate, in the Cabinet, or at the bar, he was ever the same generous, self-poised, talented, brave, kind-hearted gentleman.

“Equally erect and dauntless in prosperity and adversity,” the checkered and eventful scenes that often surrounded him never interrupted or marred the dignity of his onward movements to the accomplishment of that destiny for which he seemed to have been created.

Now that death which loves a shining mark—a signal blow—has taken him from us, I recommend such proceedings as are appropriate, and such action as will place forever on the records of the State a suitable testimonial to the worth and faithful services of this illustrious Kentuckian.

He needs no monument to perpetuate the blazonry of his deeds, the trophies of his triumphal genius, or the purity and simplicity of his character—*Exegit monumentum aere perennius*. Yet Kentuckians who loved him, and Kentucky whom he served so faithfully, and upon whom he reflected the grandeur of his genius and statesmanship, should erect to his memory a monument that will ever stand with its mute eloquence to

attest to the world our honor, our homage, and our reverence for his valor, his virtues, and his integrity, and to tell his comrades and compatriots and their posterity that he belonged to an honored race, of which he was the chief representative and champion.

EX-GOVERNOR THOMAS E. BRAMLETTE.

In January last Thomas E. Bramlette, ex-Governor of Kentucky, died in the city of Louisville. He was at one time elected to the State Legislature from Cumberland and Clinton, and was appointed Commonwealth's Attorney by Gov. Crittenden in 1848. In 1856 he was elected Judge of the 6th Judicial District, which position he resigned to go into the Federal army, and was elected Colonel of the 3d Kentucky Infantry. He afterwards received the nomination for Governor, and was elected in August, 1863, and served for four years through some of the most trying scenes that ever occurred in our State.

He was an incorruptible judge, an able lawyer, and an impartial, dignified, and humane Governor, who ever labored for the good of the Commonwealth, and whose conduct and utterances did much to restore peace and prosperity, and allay the passions and prejudices that grew out of the war.

I recommend such action as may seem to you appropriate to the memory of one who was so highly esteemed, and who so ably filled many of the most responsible offices in the gift of the people.

HON. M. T. CHRISMAN.

It gives me sincere sorrow also to announce to you the death of Hon. M. T. Chrisman, who died at his residence in Danville, Kentucky, on the 21st of September, 1875.

He was at one time a Representative from Wayne county in the Kentucky Legislature, and for the last eight years the Chief Clerk of the House of Representatives. In faithful and able discharge of the duties of this office I do not believe he could have been excelled. He was a patriot, a patient, painstaking officer, a true friend, and a generous, noble-hearted, accomplished gentleman. I recommend such proceedings as will be appropriate to his long services, his unsullied character, and his devotion to the interests of the Commonwealth.

INTERNATIONAL CONGRESS OF GEOGRAPHICAL SCIENCES.

In midsummer of this year the International Congress of Geographical Sciences had its second meeting at Paris, France. Its object was to promote discoveries, to demonstrate by facts the great importance of scientific research, to encourage nations to a generous emulation in promoting the diffusion of knowledge, by the dissemination of learning and the



development of their resources, and by so increasing facilities for intercommunication as to bring those widely separated nearer to each other, and bind still more closely together those who were already in intimate relationship.

My predecessor appointed Jas. K. Patterson, President of the Agricultural and Mechanical College of Kentucky University, Commissioner to represent the State of Kentucky in that Congress. He attended, and has made to me an elaborate and interesting report, which I herewith submit for your consideration.

#### HEALTH BOARDS.

The States of New York, Georgia, Michigan, Massachusetts, and others, have passed laws establishing State and local Boards of Health, having power to enforce certain regulations that will conduce to the health of cities, towns, and country.

Kentucky should be kept abreast with the sanitary improvements of the age, in order to protect the lives and health of her citizens, and nothing can be more commendable, just, and beneficent than earnest efforts to suppress disease and prevent the outbreak and spread of epidemics, contagions, and other maladies.

These Boards, with proper legislation, may be organized and kept in successful operation without cost, and they are worthy of your consideration.

#### O'HARA, FRY, AND CARDWELL.

A resolution was adopted by the last General Assembly directing the Governor to have the remains of General Carey H. Fry, Colonel Theodore O'Hara, and Adjutant George N. Cardwell brought to and deposited in the State military lot at Frankfort, and their graves marked with appropriate stones. In pursuance of this resolution my predecessor contracted for three marble tablets, at \$275 each, which have been delivered and placed over the graves as required by the resolution, with proper inscriptions, and the amount due for them paid out of the Treasury.

#### GOVERNMENT SIGNAL LIGHTS AND OTHER AIDS TO NAVIGATION.

Under the provisions of an act of Congress approved June 23d, 1874, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30th, 1874, and for other purposes," and of an act of Congress approved March 3d, 1875, making appropriations for the same purpose for the fiscal year ending June 30th, 1876, a number of Government signal lights and other aids to navigation have been established on the banks of the Ohio and Mississippi rivers in the State of Kentucky.



I have received a written communication from the Light-house Board, stating that "these lights and other aids to navigation have at certain points been injured and lanterns have been broken and lights have been extinguished by malicious persons."

You will readily see how useful these lights and aids to navigation are. Their extinguishment by malicious persons will always endanger steamers and other vessels navigating the Mississippi and Ohio rivers, and might be the cause of great destruction of life.

I respectfully recommend that you pass such laws as will severely punish any person who injures the lamps, or in any way unlawfully interferes with these Government signal lights and other aids to navigation.

#### FIRE-PROOF OFFICES.

About six years ago the construction of the Fire-proof Office Building was commenced, under an appropriation made by the Legislature. The walls were erected, a roof put upon the building, and some of the offices finished and furnished; but much of the interior of this building is yet unfinished. I can see no good reason why this building should remain unfinished. The necessity for such a building being admitted, and its construction commenced, it should be finished without delay.

In this connection I call your attention to the office of the Clerk of the Court of Appeals. It is not only remote from the Court of Appeals room, but it is much too small for the important records, books, and papers that have accumulated and are still accumulating there, and its construction is so insecure that fire might any day destroy valuable books and records that could never be replaced. If the Fire-proof Office Building was completed, arrangements might be made for a more convenient, as well as a safer and more suitable Court of Appeals Clerk's Office. I therefore recommend such legislation as will insure the speedy completion of the building commonly called "Fire-proof Offices."

#### BOUNDARY LINE BETWEEN THE STATES OF KENTUCKY AND INDIANA.

Pursuant to an act of the General Assembly of Kentucky approved April 21st, 1873, entitled "An act to fix and determine the boundary line between the States of Indiana and Kentucky above and near Evansville," my predecessor appointed D. N. Walden, of the county of Henderson, Kentucky, a Commissioner to do the work therein prescribed.

The General Assembly of Indiana also passed an act, which was approved February 27th, 1875, entitled "An act to ascertain the location of the boundary line between the States of Indiana and Kentucky above and near Evansville, and making the same evidence in any dispute and declaring an emergency;" and in conformity with the provisions of this

last act the Governor of Indiana appointed August Pfafflin, of Evansville, Indiana, a Commissioner to do the work therein required to be done.

The Commissioners, soon after their appointment, commenced the work assigned them, and run the line and made the survey in manner and form required by the Legislatures of Kentucky and Indiana, and were governed by the survey originally made by the Government of the United States in the year 1806, being the original and only survey made by the United States of said line. The report of the Commissioners, together with their map and other papers, are herewith laid before you. They show that on the 17th day of July, 1875, the survey was completed, and within ten days thereafter, to-wit, on the 27th day of July, 1875, the Commissioners reduced the survey to writing, pointing out the distances, directions, monuments and marks, as well as the boundary line by them established between the States of Kentucky and Indiana, and also acknowledged and filed copies of their report, with plats or maps attached, in the offices designated in the aforesaid acts.

That on the 30th day of July, 1875, the Governor of Indiana gave notice to his Commissioner to suspend the work; but as the field work was finished, and the report drawn up, the Commissioners completed their map, and sent their report of the location of the boundary line, together with a plat or map, to my predecessor.

By this survey it will be seen that Green River Island belongs to Kentucky, and the boundary line between Kentucky and Indiana is a short distance from the present bed of the Ohio river on the Indiana side.

I recommend a careful examination of this subject, and such legislation as you may think wise and proper.

#### REVISION OF THE CODE OF PRACTICE.

In obedience to the requirements of an act of the General Assembly, my predecessor, and the Judges of the Court of Appeals, nominated to the Senate Hon. Richard A. Buckner and Hon. Joshua F. Bullitt as Commissioners to revise the Code of Practice, with Hon. George W. Craddock as umpire. These nominations were duly confirmed by the Senate on the 4th day of March, 1872, and the Commissioners entered at once with commendable zeal upon the important work assigned them. In consequence of the election of Hon. George W. Craddock to the House of Representatives of Kentucky, he resigned his position as Umpire, and Hon. Alvin Duvall was appointed in his place, and has been assiduously and earnestly engaged upon the work since the first of August, 1875.

The revisors of the Code will submit their work for your consideration very soon after your organization; and from the time taken by the Commissioners for a careful revision, and their high standing and long expe-

ence in their profession, I feel assured that their report will show the wisdom of their selection, and I hope be worthy of the commendation of both you and the impartial people you represent.

#### BIENNIAL SESSIONS.

I believe the framers of our Constitution intended that there should be but one session of the Legislature in two years, except when extraordinary and unexpected circumstances occurred demanding that there should be an adjourned session. In the past two years there was but one session of the Legislature, and no one has complained, and at least one hundred thousand dollars were saved by not having the second session. If the country suffers at all from legislation, it is from too much of it, rather than from too little. The General Statutes have been adopted in the last few years, and a new Code of Practice will be adopted during the present session. I believe in these times of profound peace and financial distress that one session will meet the wants of the people, and be far more agreeable to them than two.

#### LEGISLATION.

The safeguards against improper legislation in this State are not so strong as they should be. After some years' experience in the Legislature, I am decidedly of the opinion that no bill should be declared passed by either House until it has been read through on three successive days, and the vote taken by yeas and nays, and entered upon the Journal, showing that a quorum is present. It is quite common to pass bills by their titles, and much harm sometimes results from such legislation. I respectfully call your attention to this unwise practice.

Annual sessions are chiefly attributable to the time consumed in the consideration of local and private bills. You are assembled to consult about important subjects of general and public interest, and you will be unjust to yourselves and to your constituents if you allow your time to be occupied and the Treasury depleted by the passage of local and private bills which are provided for by general law, and whose objects can be attained in the courts. I suggest for your consideration the propriety of passing such additional general laws as will give the relief desired, and dispense with the necessity for local or private legislation, thus saving to the State thousands of dollars, and greatly lightening the burden of legislation.

I have thus presented to you subjects which I believe are worthy of your consideration. Whatever action you may take, I feel assured that you will, like myself, be influenced by what you regard as the best inter-



ests of Kentucky. My earnest wish is that your deliberations may be agreeable and harmonious. I commend to you the honor and prosperity of our beloved Commonwealth; and assuring you of my hearty co-operation in advancing its interests, I earnestly invoke on your councils the blessings of the Supreme Law-giver of the world, to whom we all must finally account for our stewardship.

JAMES B. McCREARY.

The Speaker then announced the following as the standing committees for the present session :

*On Agriculture and Manufactures*—George Wright, Chairman, Messrs. J. Hyden, J. H. Stanley, Pollock Barbour, and W. W. Culbertson.

*On Appropriations*—F. L. Cleveland, Chairman, Messrs. Scott Brown, J. B. Garnett, Jos. Gardner, and W. J. Berry.

*On Banks and Insurance*—Pollock Barbour, Chairman, Messrs. W. L. Vories, Sumner Marble, Robert Simmons, and B. W. S. Huffaker.

*On Charitable Institutions*—Jas. Blackburn, Chairman, Messrs. E. W. Turner, Pollock Barbour, C. N. Pendleton, and C. J. Walton.

*On Claims*—Robt. A. Briggs, Chairman, Messrs. D. H. Lindsay, Jas. Blackburn, J. R. Leslie, and C. J. Walton.

*On Courts of Justice*—W. A. Cunningham, Chairman, Messrs. P. F. Edwards, E. W. Turner, J. B. Garnett, and J. R. Leslie.

*On Education*—Jos. B. Read, Chairman, Messrs. Robert Simmons, H. A. Tyler, Jos. Gardner, and C. J. Walton.

*On Executive Affairs*—Robert Simmons, Chairman, Messrs. W. L. Vories, W. A. Cunningham, R. B. Lovel, and B. W. S. Huffaker.

*On Federal Relations*—G. W. Swoope, Chairman, Messrs. F. L. Cleveland, D. H. Lindsay, J. B. Read, and B. W. S. Huffaker.

*On Finance*—R. G. Hays, Chairman, Messrs. C. N. Pendleton, George Wright, Andrew J. Ewing, and W. W. Culbertson.

*On Immigration and Labor*—Wm. Cassius Goodloe, Chairman, Messrs. S. H. Jenkins, G. W. Swoope, Duncan Harding, and Jos. Gardner.

*On Internal Improvement*—Thos. J. Barker, Chairman, Messrs. Scott Brown, J. Hyden, S. H. Jenkins, and W. W. Culbertson.

*On Judiciary*—J. W. Hays, Chairman, Messrs. Robert Simmons, T. J. Barker, H. A. Tyler, and Wm. Cassius Goodloe.

*On Library and Public Offices and Buildings*—Scott Brown, Chairman, Messrs. R. G. Hays, P. F. Edwards, J. H. Stanley, and W. W. Culbertson.

*On Military Affairs*—H. A. Tyler, Chairman, Messrs. George Wright, Geo. B. Hodge, J. W. Hays, and H. F. Finley.



*On Penitentiary and House of Reform*—W. L. Vories, Chairman, Messrs. S. H. Jenkins, J. R. Leslie, A. J. Ewing, and H. F. Finley.

*On Printing*—J. R. Leslie, Chairman, Messrs. Robt. A. Briggs, A. J. Ewing, George Wright, and H. F. Finley.

*On Privileges and Elections*—Thomas W. Varnon, Chairman, Messrs. Duncan Harding, J. B. Read, P. A. Lyon, and C. J. Walton.

*On Propositions and Grievances*—P. F. Edwards, Chairman, Messrs. R. B. Lovel, Jas. Blackburn, J. Hyden, and W. J. Berry.

*On Railroads*—Geo. B. Hodge, Chairman, Messrs. R. G. Hays, P. A. Lyon, Thomas W. Varnon, and Wm. Cassius Goodloe.

*On General Statutes and Codes of Practice*—Ed. W. Turner, Chairman, Messrs. Thos. J. Barker, Geo. B. Hodge, G. W. Swoope, Wm. Cassius Goodloe, and Thomas W. Varnon.

*On Religion and Morals*—D. H. Lindsay, Chairman, Messrs. J. H. Stanley, Duncan Harding, J. W. Hays, and W. J. Berry.

*On Sinking Fund*—R. B. Lovel, Chairman, Messrs. Robt. A. Briggs, J. W. Hays, C. N. Pendleton, and Sumner Marble.

*On Enrollments*—P. A. Lyon, Chairman, Messrs. J. B. Garnett, and W. J. Berry.

On motion of Mr. J. W. Hays, Messrs. Cunningham and Garnett were added to the Committee on the Judiciary.

Mr. Turner moved the following resolution, viz :

*Resolved*, That the Public Printer be directed to print four thousand copies of the Governor's message, with paper covers, enveloped and stamped ready for distribution by mail, for the use of the members of the Senate.

Mr. Lindsay moved the following amendment as a substitute for said resolution, viz :

*Resolved*, That the message of the Governor be printed, and that the Public Printer be directed to furnish each member and officer of the Senate with two hundred copies thereof, with paper covers, enveloped, postage paid, ready for distribution by mail.

Mr. Wright moved to amend the amendment proposed by Mr. Lindsay by striking out the words "two hundred" and insert the word "fifty."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

B. W. S. Huffaker, George Wright—2.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—32.
H. F. Finley,	P. A. Lyon,	

The question was then taken on the amendment proposed as a substitute by Mr. Lindsay, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Huffaker and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	C. J. Walton—24.

Those who voted in the negative, were—

Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	George Wright—10.
H. F. Finley,		

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

Mr. Varnon moved the following resolution, viz :

*Resolved*, That a committee of three be appointed to report a proper distribution of the various subjects treated of in the Governor's message, and their reference to the appropriate standing committees of the Senate.

Which was adopted.

Whereupon the Speaker appointed Messrs. Varnon, Read, and Cleveland said committee.

Mr. Cunningham moved the following resolution, viz :

*Resolved*, That the Committee on Banks and Insurance be instructed to inquire into and report upon the expediency of exempt-

ing from the operations and provisions of the general insurance laws of the State the Kentucky Masonic Mutual Life Insurance Company, at Bowling Green; the Odd Fellows' Mutual Assurance Association, at Louisville; the Kentucky Odd Fellows' Life Insurance Company, Glasgow; Masonic Mutual Benefit Association, Maysville; the Kentucky Mutual Benefit Association of Physicians, Louisville; the Mutual Benefit Association, Ashland, and kindred co-operative associations in this, State, and that said committee have leave to report by bill or otherwise.

Which was adopted.

Mr. Vories moved the following resolution, viz :

*Resolved*, That the Kentucky Yeoman shall *not* be included in the three daily papers directed to be furnished the members of the Senate by the Sergeant-at-Arms.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	D. H. Lindsay,	J. H. Stanley,
F. L. Cleveland,	R. B. Lovel,	H. A. Tyler,
W. W. Culbertson,	P. A. Lyon,	W. L. Vories—14.
Wm. Cassius Goodloe,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	J. R. Leslie,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	C. N. Pendleton,
W. A. Cunningham,	B. W. S. Huffaker,	E. W. Turner,
P. F. Edwards,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	S. H. Jenkins,	George Wright—19.
H. F. Finley,		

Mr. Cleveland read and laid on the table the following joint resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That so much of the Governor's message as refers to the Centennial Exposition and celebration to be held in the city of Philadelphia during this, the centennial year, be referred to a special committee of three members of the Senate and five members of the House of Representatives, to be appointed by the Speakers of the respective Houses, whose duty it shall be to take into consideration the suggestions and recommendations of the Governor, and report the result of their deliberations to the General Assembly by bill or otherwise.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and adopted.

Leave was given to bring in the following bills, viz :

On motion of Mr. Walton—

1. A bill for the benefit of John B. Ruark, of Hart county.

On motion of Mr. Read—

2. A bill to amend an act, entitled “An act to incorporate the Silver and Spar Mining Company.”

On motion of Mr. Varnon—

3. A bill to authorize the county of Lincoln to issue bonds to pay off the indebtedness of said county, and purchase a poor-house.

On motion of same—

4. A bill to amend the law regulating the inspection of oils.

On motion of Mr. Hodge—

5. A bill to provide for continuing the Geological and other surveys of the State.

On motion of same—

6. A bill to authorize the justices of the peace in the 1st, 2d, and 3d magistrates' districts of Newport to hold daily sessions and hear civil causes.

On motion of Mr. Wright—

7. A bill to increase the jurisdiction of justices of the peace in this Commonwealth.

On motion of same—

8. A bill to increase the jurisdiction of county judges in this State.

On motion of same—

9. A bill to repeal the ten per cent. conventional interest law.

On motion of same—

10. A bill to reduce the salary of the State Librarian.

On motion of Mr. Jenkins—

11. A bill to repeal the law establishing a conventional rate of interest.

On motion of same—

12. A bill in reference to unrecorded deeds in the Ballard county court clerk's office.

On motion of Mr. Finley—

13. A bill to change the time of holding the circuit courts in the several counties in the 15th judicial district.

On motion of Mr. Read—

14. A bill to more effectually prevent fraudulent voting and bribery.



On motion of Mr. Cleveland—

15. A bill to amend an act in relation to the Augusta and Minerva Turnpike Road Company, approved February 9th, 1872.

On motion of same—

16. A bill to incorporate Confidence Lodge, No. 46, Independent Order of Odd Fellows, of Augusta, Bracken county.

On motion of Mr. Finley—

17. A bill to prohibit hogs from running at large upon the streets of the various towns of this Commonwealth.

On motion of Mr. Simmons—

18. A bill to incorporate the South Covington and Cincinnati Street Railway Company.

On motion of same—

19. A bill to incorporate the Ludlow and Cincinnati Street Railway Company.

*Ordered*, That the Committee on Claims prepare and bring in the 1st; the Committee on Agriculture and Manufactures the 2d; the Committee on Courts of Justice the 3d, 6th, 7th, and 8th; the Committee on the General Statutes and Codes of Practice the 4th, 11th, 13th, 16th, and 17th; the Committee on Appropriations the 5th; the Committee on Banks and Insurance the 9th; the Committee on Library and Public Buildings and Offices the 10th; the Committee on the Judiciary the 12th and 14th; the Committee on Internal Improvement the 15th, and the Committee on Railroads the 18th and 19th.

The following petitions were presented, viz :

By Mr. Blackburn—

1. The petition of sundry citizens of Jessamine county, praying for the passage of an ad valorem tax for railroad purposes.

By Mr. Pendleton—

2. The petition of sundry citizens of Christian county, praying for the repeal of a law prohibiting the sale of spirituous liquors in Pembroke precinct.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Courts of Justice, and the 2d to the Committee on Religion and Morals.

And then the Senate adjourned.

TUESDAY, JANUARY 4, 1876.

W. J. Berry, Senator from the Eighth District, and G. W. Swoope, Senator from the Seventh District, appeared and took their seats.

The following petitions were presented, viz :

By Mr. Simmons—

1. Petition to change and enlarge school district No. 44, in Kenton county.

By Mr. Read—

2. The petition of Francis Adwell, in relation to a claim against the State.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Education, and the 2d to the Committee on Claims.

Leave was given to bring in the following bills, viz :

On motion of Mr. Ewing—

1. A bill to repeal an act, entitled “An act to incorporate the Frankfort, Paris, and Big Sandy Railroad Company,” approved 4th March, 1872.

On motion of Mr. Harding—

2. A bill to amend the act establishing a criminal court in the 12th judicial district.

On motion of Mr. Read—

3. A bill for the benefit of Francis Adwell, of Louisville.

On motion of Mr. Harding—

4. A bill to change the road laws in Robertson county.

On motion of same—

5. A bill to change the time of holding the December term of the Robertson circuit court.

On motion of Mr. Blackburn—

6. A bill for the benefit of the children of Joseph Ross, of Woodford county.

On motion of same—

7. A bill for the benefit of the heirs of Mary Scott, of Jessamine county.

On motion of Mr. Lovel—

8. A bill to amend section 14, of article 8, chapter 92, of General Statutes.

On motion of same—

9. A bill to prevent the destruction of fish in Lewis county.

On motion of Mr. Finley—

10. A bill to amend section 3, article 4, chapter 5, General Statutes.

On motion of same—

11. A bill to amend section 1, of article 29, chapter 29, of the General Statutes, entitled "Crimes and Punishments."

On motion of Mr. Lindsay—

12. A bill to change the mode of working roads in the county of Gallatin.

On motion of Mr. R. G. Hays—

13. A bill to amend an act, entitled "An act incorporating the Walnut Street Christian Church, in the city of Louisville," approved February 19, 1848.

On motion of Mr. Simmons—

14. A bill to amend an act, entitled "An act to incorporate the Union Railroad Company," approved February 18th, 1870.

On motion of Mr. Briggs—

15. A bill to prevent trespass.

On motion of same—

16. A bill for the benefit of licensed keepers of stud-horses, jacks, and bulls.

On motion of same—

17. A bill to prevent judges and chancellors of courts, and members of General Assembly, from accepting or using free passes over railroads.

On motion of Mr. Lindsay—

18. A bill to incorporate the Oakland Cemetery, in Gallatin county.

On motion of Mr. Hyden—

19. A bill to repeal the several acts authorizing the erection of toll-gates and the collecting tolls on the Wilderness Turnpike Road, in the counties of Rockcastle, Laurel, Knox, and Bell.

On motion of Mr. J. W. Hays—

20. A bill to amend the law of evidence in this State in regard to the capacity of convicts in the penitentiary to give evidence in certain prosecutions.

On motion of Mr. R. G. Hays—

21. A bill for the benefit of the circuit court clerks of this Commonwealth in relation to their fees in penal and criminal cases.

On motion of Mr. Barker—

22. A bill to amend the law in regard to coffee-houses, &c.

*Ordered*, That the Committee on Railroads prepare and bring in the 1st, 14th, and 17th; the Committee on Courts of Justice the 2d, 4th, 5th, and 21st; the Committee on Claims the 3d and 7th; the Committee on General Statutes and Codes of Practice the 6th, 8th, 10th, 11th, and 22d; the Committee on Propositions and Grievances the 9th; the Committee on Internal Improvement the 12th and 19th; the Committee on the Judiciary the 13th and 20th; the Committee on Agriculture and Manufactures the 15th and 16th, and the Committee on Religion and Morals the 18th.

Mr. Wright, from the Committee on Agriculture and Manufactures, reported

A bill to amend an act, entitled "An act to incorporate the Silver Spar and Mining Company."

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be recommitted to the Committee on Agriculture and Manufactures.

A message was received from the House of Representatives, announcing that they had adopted a joint resolution entitled

Resolution to appropriate money to Thomas S. Pettit and K. F. Prichard.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred dollars each be allowed Thomas S. Pettit, late Assistant Clerk of the House of Representatives, and K. F. Prichard, late Clerk of the Senate, for their services in organizing the present General Assembly; and the Auditor is hereby directed to draw his warrant on the Treasurer in favor of said Pettit and said Prichard for said sum.

Mr. Ewing moved to amend said resolution by striking out "one hundred" and inserting "fifty dollars."

Mr. J. W. Hays called for a division of the question.

The question was first taken on striking out "one hundred," and it was decided in the negative.



The question was then taken on striking out the words "one hundred" and inserting the word "fifty," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	J. R. Leslie,
Thos. J. Barker,	H. F. Finley,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	G. W. Swoope,
James Blackburn,	R. G. Hays,	H. A. Tyler,
W. A. Cunningham,	B. W. S. Huffaker,	George Wright—15.

Those who voted in the negative, were—

Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	Geo. B. Hodge,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	E. W. Turner,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Wm. Cassius Goodloe,	P. A. Lyon,	W. L. Vories,
Duncan Harding,	C. N. Pendleton,	C. J. Walton—21.

The question was then taken on concurring in said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	John Hyden,	J. H. Stanley,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Wm. Cassius Goodloe,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	P. A. Lyon,	C. J. Walton—26.
James W. Hays,	C. N. Pendleton,	

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	Sumner Marble,
Thos. J. Barker,	Andrew J. Ewing,	G. W. Swoope,
Wm. J. Berry,	James B. Garnett,	George Wright—11.
James Blackburn,	B. W. S. Huffaker,	

Mr. Hodge read and laid on the table a joint resolution, entitled

Resolution instructing our Senators and requesting our Representatives in Congress to vote in aid of the Texas Pacific Railroad.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz :

WHEREAS, The Congress of the United States having voted nearly \$200,000,000 in bonds and money, and over 150,000,000 acres of land, for the construction of public improvements in the Northern States and Territories, a large portion of which was for the building of the Union and Central Pacific Railroad in the latitude of Chicago and the lakes, and a great preponderance of wealth, power, and prestige having been fostered thereby to the great advantage of that section of the Union, to the great disparagement of the other sections, while both represent a common country, a common treasury, and common taxation ; and

WHEREAS, Congress having voted but little and inappreciable aid to foster and promote the commerce, wealth, and prosperity of the southern section of the Union, many interests of which are destroyed, and others prostrate or undeveloped from this long-continued policy of neglect of one portion of our common country, and legislative favoritism to the other ; and

WHEREAS, Another and a competing national trans-continental highway, located on the 32d parallel of latitude, and connecting the main commercial points on the Mississippi river and the Gulf of Mexico, southward from St. Louis, with the Pacific coast, by a common trunk-line *via* Shreveport and El Paso, to San Diego, uninterrupted by snows, located on more favorable grades, and throughout a country more productive than any other, forming the most direct line of transit across the territory of the United States from the Pacific to the Atlantic which can be built, and opening up the direct trade of the 9,000,000 people of Mexico to our country, developing the agricultural, mineral, and grazing resources of Texas, New Mexico, Arizona, Southern California, Lower California, Sonora, and Chihuahua, and introducing emigration and capital to a vast area of our territory which cannot be otherwise approached for want of navigable streams, and commanding the commerce and trade of Asia, the East Indies, and the Pacific coast with Europe and our own country, is imperatively demanded in the interests of the whole people, and especially in the interests of the prostrate and impoverished South, to secure economy in the Indian Military Department, to cheapen transportation by competition, to increase the industries and taxable wealth of the nation, to give employment to idle capital and labor, to increase the earnings and value of our local railways, and to enrich and revitalize the varied languishing interests of all sections of our common country ; and

WHEREAS, The unavailing efforts and experiments of eighteen years to construct a Pacific railroad on this route having demonstrated the impossibility of its accomplishment by private enterprise and capital, unaided by the General Government, and without such aid it being probable that the southern section and the whole country will be deprived of the benefits of such a competing Pacific line for an indefinite period of years ; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That our Senators in Congress be instructed, and our Representatives be requested, to use all proper efforts to secure the passage of an act which, guarding the interests of the Government and the rights of the people properly, shall afford to the Texas and Pacific Railroad such aid as will insure its early completion; and that, while opposed to any further grant by Congress of Government bonds or money to railroads, this body regards the plan of guaranteeing the interest on the bonds of the company by the Government, guarding it against liability by a first lien on the road and all its property, including the lands granted by the Government, as the most feasible and proper manner in which such aid can be extended.

On motion of Mr. Cleveland—

*Ordered,* That said resolution be printed and referred to the Committee on Railroads.

Mr. Cleveland moved the following resolution, viz :

*Resolved,* That all reporters of newspapers, and correspondents desirous of reporting the proceedings of the Senate, are invited to occupy seats on this floor.

Which was adopted.

Mr. Finley moved to amend rule 19 of the Senate by striking out the word “revised” where it occurs in said rule, and insert in lieu thereof the word “general.”

Which motion was adopted.

On motion of Mr. Turner, Mr. Varnon was added to the Committee on General Statutes and Codes of Practice.

A message in writing was received from the Governor, by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 4th, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice the following named persons as worthy to be commissioned as notaries public, to act in the limits herein set forth :

Horace G. Craig, for Fayette county.

W. S. Hogue, for Jefferson county.

A. D. Evose, for Jefferson county.

D. P. Robb, for Woodford county.

Alexander P. Humphrey, for Jefferson county.

U. Keenon, for Franklin county.

H. Watson, for Franklin county.

Sam. Casseday, jr., for Jefferson county.

Barnett G. Mattingly, jr., for Jefferson county.

C. T. Sterling, for Franklin county.  
 J. D. Wilson, for Fayette county.  
 Thomas S. Logwood, for Fayette county.  
 Joseph H. Miller, for Adair county.  
 Z. Williams, for Adair county.  
 George W. Darnall, for Fayette county.  
 J. L. Wright, for Warren county.  
 G. W. Gorin, for Warren county.  
 Harry Stuckey, for Jefferson county.  
 Wm. M. Schrodt, for Jefferson county.  
 J. T. Simon, for Pendleton county.  
 A. E. Howe, for Pendleton county.  
 H. C. Rodes, for Jefferson county.  
 Thomas S. Andrews, for Fleming county.  
 Laf. Joseph, for Jefferson county.

JAMES B. McCREARY.

*Resolved*, That the Senate advise and consent to said nominations.

Mr. Goodloe moved the following resolution, viz :

*Resolved*, That it is the sense of the Senate that a proper regard to careful and appropriate legislation demands a disuse of the practice of suspending the rules for the passage of bills on the day of introduction; and a strict adherence to the requirements of the Constitution will prevent much hasty and ill-digested legislation.

Which was adopted.

Mr. Brown read and laid on the table a joint resolution, entitled,  
 Resolution for the benefit of Dr. J. Russell Hawkins.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was then taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant on the Treasury in favor of Dr. J. Russell Hawkins for the sum of twenty-five dollars, as compensation for his services in organizing the Senate at the December session, 1873.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. N. Pendleton,
Thos. J. Barker,	James W. Hays,	Joseph B. Read,
Wm. J. Berry,	R. G. Hays,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,



W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—32.
Wm. Cassius Goodloe,	Sumner Marble,	

Those who voted in the negative, were—

Robert A. Briggs,	James B. Garnett,	G. W. Swoope—5.
Andrew J. Ewing,	R. B. Lovel,	

Mr. Varnon, from the select committee to whom was referred the distribution of subjects in the Governor's message, reported the following resolution, viz:

*Resolved*, That that portion of the Governor's message relating to the financial condition of the State be referred to the Committee on Finance.

That portion relating to war claims to the Committee on Military Affairs.

That portion relating to colored schools to the Committee on Education.

That portion relating to the Geological Survey to the Committee on Immigration and Labor. To the same Committee that portion relating to Immigration.

That portion relating to the Centennial to a special committee.

That portion relating to agriculture and the establishment of a Bureau of Agriculture and Statistics to the Committee on Agriculture and Manufactures.

That portion relating to the assessment of property for taxation, and taxation for corporations, to the Committee on Finance.

That portion relating to charitable institutions to the Committee on Charitable Institutions.

That portion relating to the penitentiary to the Committee on Penitentiary and House of Reform.

That portion relating to insurance to the Committee on Banks and Insurance.

That portion relating to the death of Hon. John C. Breckinridge, ex-Governor Thomas E. Bramlette, and Hon. M. T. Chrisman, to special committees.

That portion relating to the International Congress of Geographical Sciences and Government Signal Lights and other aids to Navigation, to the Committee on Federal Relations.

That portion relating to the revision of the Codes of Practice to a joint committee of the two Houses.

That portion relating to biennial sessions and legislation to the Committee on Revised Statutes and Codes of Practice.

Which was adopted.

And then the Senate adjourned.

WEDNESDAY, JANUARY 5, 1876.

Leave was given to bring in the following bills, viz :

On motion of Mr. Harding—

1. A bill to regulate the fees of various officers of this Commonwealth.

On motion of Mr. Hyden—

2. A bill to amend section 1, article 29, chapter 29, of the General Statutes.

On motion of Mr. Leslie—

3. A bill to amend section 1 of article 18, chapter 28, General Statutes.

On motion of Mr. Huffaker—

4. A bill to amend section 1 of article 2, chapter 94, of the General Statutes, entitled "Roads and Passways."

On motion of Mr. Swoope—

5. A bill to establish a criminal court in the 5th judicial district.

On motion of Mr. Tyler—

6. A bill to repeal section 4 of article 29, chapter 29, General Statutes.

On motion of same—

7. A bill to provide for the holding of county or quarterly courts when the judge is absent or cannot preside.

On motion of Mr. Hodge—

8. A bill to regulate the duties and office of inspector of oils.

On motion of Mr. Wright—

9. A bill to reduce the fees of the county judges of this Commonwealth.

On motion of same—

10. A bill to reduce the salary of the Adjutant General, and place that office on a peace footing.

On motion of same—

11. A bill to reduce the fees of justices of the peace in this Commonwealth.

On motion of Mr. Pendleton—

12. A bill repealing chapter 579 of the acts of 1873-'4.

On motion of Mr. Leslie—

13. A bill to amend section 5, article 19, chapter 29, General Statutes.

On motion of Mr. R. G. Hays—

14. A bill to regulate the freights of the Louisville, Paducah, and Southwestern Railroad on stone-coal from the mines along the line of said road, by the car-load of 295 bushels, to the city of Louisville, and to make the law just and uniform.

On motion of Mr. Briggs—

15. A bill for the benefit of R. W. Dickerson, of Washington county.

On motion of Mr. Pendleton—

16. A bill increasing the jurisdiction of the county judge and magistrates in Christian county.

On motion of Mr. Barker—

17. A bill for the benefit of the sureties of John G. Samuels, late sheriff of Nelson county.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the 1st, 5th, 7th, 9th, and 11th; the Committee on General Statutes and Codes of Practice the 2d, 3d, 6th, and 13th; the Committee on Agriculture and Manufactures the 4th; the Committee on Propositions and Grievances the 8th and 15th; the Committee on Military Affairs the 10th; the Committee on Religion and Morals the 12th; the Committee on Railroads the 14th, and the Committee on the Judiciary the 16th and 17th.

On motion of Mr. Briggs, Mr. Barker was added to the Committee on Claims.

Mr. Briggs moved the following resolution, viz :

*Resolved*, That the Committee on the Judiciary be directed to inquire whether or not in the sale of lands for taxes the law empowers any one to make conveyance or title to the lands sold for such purpose, and to report by bill or otherwise.

Which was adopted.

Mr. Turner moved the following resolution, viz :

*Resolved*, That the Public Printer be directed to print 200 copies of the Senate standing committees for the use of the General Assembly.

Which was adopted.

The Speaker appointed the following select committees under the resolution in regard to the distribution of the various subjects in the Governor's message :

*On Centennial*—Messrs. Lindsay, Hyden, and Berry.

*On Death of Gen. Breckinridge*—Messrs. Goodloe, Hodge, and Tyler.

*On Death of Gov. Bramlette*—Messrs. Cleveland, Swoope, and Hufaker.

*On Death of Col. Chrisman*—Messrs. Varnon, Barker, and Walton.

Mr. Lindsay read and laid on the table the following joint resolution :

WHEREAS, The Governor of this Commonwealth appointed W. R. Patterson, President of the Agricultural and Mechanical College of Kentucky University, commissioner to represent this State in the International Congress of Geographical Sciences, held in the city of Paris; and whereas, the Governor has received from President Patterson a report abounding in matter of interest and value to the people of this Commonwealth; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Public Printer be directed to print and furnish each member and officer of the Senate fifty copies of said report.

Which under the rule lies one day on the table.

Mr. Hodge, from the Committee on Railroads, to whom was referred a joint resolution which originated in the Senate, entitled

Resolution directing our Senators and requesting our Representatives in Congress to vote in aid of the Texas Pacific Railroad,

Reported the same, with an amendment as a substitute therefor.

*Ordered,* That said amendment be printed, and that said resolution and pending amendment be made the special order of the day for Friday, January 14th inst., at 11 o'clock, A. M.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to prevent trespass.

By Mr. Barker, from the Committee on Internal Improvement—

A bill to amend an act, approved February 9th, 1872, in relation to the Augusta and Minerva Turnpike Road, in Bracken county.

By Mr. Hodge, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Union Railroad Company," approved February 18th, 1870.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to change the time of holding circuit courts in the 15th judicial district.



By Mr. Varnon, from the Committee on Railroads—

A bill to amend the charter of the Kentucky Central Railroad Company.

Which bills were severally read the first time, and the last named bill was ordered to be printed.

Mr. Goodloe, from the Committee on Railroads, reported

A bill to prevent the receiving or using of free tickets over railroads in this Commonwealth.

Which bill was read the first time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any judge or chancellor of any court of this State, and for any member of the General Assembly of the State, to receive or use a free ticket or tickets over any railroad in this State, or to accept free passes over the same.

§ 2. That if any judge or chancellor shall violate the provisions of this act, he shall be impeached therefor, and if found guilty, shall be rendered ineligible for a period of five years to any office of honor or profit in this State.

§ 3. That if any member of the General Assembly shall violate the provisions of this act, he shall be prosecuted therefor before any court of competent jurisdiction of this State, and, upon conviction, shall be fined not less than one hundred nor more than five hundred dollars.

§ 4. This act shall take effect from its passage.

Mr. Finley moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Briggs and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Duncan Harding,	G. W. Swoope,
W. W. Culbertson,	B. W. S. Huffaker,	W. L. Vories,
P. F. Edwards,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—14.
H. F. Finley,	R. B. Lovel,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	James W. Hays,	Joseph B. Read,
Wm. J. Berry,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	P. A. Lyon,	Thos. W. Varnon—23.
James B. Garnett,	Sumner Marble,	

Mr. J. W. Hays then moved to suspend the rule of the Senate in order to allow said bill to have its second reading to-day.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Cunningham, from the Committee on Courts of Justice, reported

A bill to provide for the holding of county and quarterly courts when the judge is absent or cannot preside.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. Tyler proposed an amendment to said bill.

Which was adopted.

Mr. Simmons proposed an amendment to said bill.

Which was adopted.

Mr. Read proposed an amendment to said bill.

Which was adopted.

On motion of Mr. Finley—

*Ordered*, That said bill be recommitted to the Committee on the Judiciary.

And then the Senate adjourned.

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#### THURSDAY, JANUARY 6, 1876.

A message was received from the House of Representatives, announcing that they had concurred in resolutions which originated in the Senate, of the following titles, viz :

Resolution for the benefit of J. Russell Hawkins.

Resolution in relation to the Governor's message.

Mr. Cleveland presented the petition of sundry citizens of the town of Foster, in Bracken county, concerning the sale of intoxicating liquors in said town.

Which petition was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz :

On motion of Mr. Turner—

1. A bill to amend section 16, article 13, chapter 38, of the General Statutes.

On motion of Mr. Finley—

2. A bill to declare legal and valid patents, issued upon certain localities, of lands under section 3, chapter 102, of the Revised Statutes.

On motion of same—

3. A bill to amend section 3, article 4, chapter 5, General Statutes, entitled "Attorneys."

On motion of Mr. Garnett—

4. A bill amending section 1, article 29, of the General Statutes.

On motion of same—

5. A bill giving courts of justices of the peace and county judges concurrent jurisdiction with the circuit courts in cases of carrying concealed deadly weapons.

On motion of Mr. R. G. Hays—

6. A bill to amend an act, entitled "An act incorporating the German Real Estate and Building Association of the city of Louisville."

On motion of Mr. Edwards—

7. A bill to amend the criminal laws of this Commonwealth.

On motion of Mr. Pendleton—

8. A bill changing the time of holding circuit courts in the 3d judicial district.

On motion of Mr. Lovel—

9. A bill, entitled "An act for the benefit of Perry Jefferson, late sheriff of Mason county, and his deputies."

On motion of Mr. Wright—

10. A bill to incorporate Smith's Grove College, in Warren county.

On motion of Mr. Tyler—

11. A bill to repeal article four of chapter fifty-five of General Statutes.

On motion of Mr. Berry—

12. A bill to change the boundary line of the town of Hartford.

On motion of Mr. Cleveland—

13. A bill to amend the charter of the town of Foster, in Bracken county.

On motion of Mr. Swoope—

14. A bill for the benefit of Coldston Crabtree, of Daviess county.

On motion of same—

15. A bill to incorporate the Traders and Farmers' Bank.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 2d, 3d, 4th, 7th, 11th, and 13th; the Committee on Courts of Justice the 5th; the Committee on Finance the 6th; the Committee on the Judiciary the 8th; the Committee on Propositions and Grievances the 9th and 12th; the Committee on Education the 10th; the Committee on Claims the 14th, and the Committee on Banks and Insurance the 15th.

The Speaker announced that he had appointed Messrs. Cleveland, Pendleton, and Walton as a joint committee on the part of the Senate, under a joint resolution adopted by the two Houses, which originated in the Senate, entitled

Resolution in relation to the Governor's message.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways."

By Mr. Culbertson, from the Committee on Agriculture and Manufactures—

A bill for the benefit of licensed keepers of stud-horses, jacks, and bulls, of Washington county.

By Mr. Walton, from the Committee on Claims—

A bill for the benefit of John B. Ruark, of Hart county.

By Mr. Blackburn, from the Committee on Claims—

A bill for the benefit of the heirs of Mary Scott, of Jessamine county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to amend the law of evidence.

By Mr. Barker, from the Committee on the Judiciary—

A bill for the benefit of the sureties of Jno. G. Samuels, late sheriff of Nelson county.

Which bills were severally read the first time.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was recommitted



A bill to provide for the holding of county courts when the judge is absent or cannot preside,

Reported the same without amendment.

Said bill, as amended on yesterday, reads as follows :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That whenever the county judge of any county in this State shall be absent, or unable from any cause to attend and hold the regular monthly county court, or if in attendance, cannot properly preside, it shall be the duty of the county court clerk, upon being informed of such failure, to notify the justice of the peace residing nearest the court-house of said county, and if his attendance cannot be procured, the next justice in the county nearest the court-house, of the failure of the county judge to attend, or his inability to preside; and it shall be the duty of said justice to attend and hold said court, and for that purpose he is hereby vested with all the powers which are now or may be by law conferred upon the county judge; may cause the justices of the county to be summoned to attend and sit with him, if necessary to transact the financial business of the county, and to transact any and all business that said county judge might and could do if present and presiding; and for his services thus rendered the county court, at their court of claims, shall make a reasonable allowance, to be levied and paid out of the county levy: *Provided,* That the allowance made the *pro tem.* judge be deducted from any allowance made the county judge by the court of claims.

§ 2. This act shall not apply to the county of Jefferson.

§ 3. This act shall take effect from and after its passage.

Mr. Turner then moved to suspend the rule of the Senate requiring said bill to have its third reading to-morrow.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton—27.

Those who voted in the negative, were—

Robert A. Briggs,	George B. Hodge,	Joseph B. Read,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—10.
James W. Hays,		

*Ordered*, That said bill be engrossed and read a third time.

The constitutional provision and the rule of the Senate as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Goodloe, from the select committee to whom was referred that portion of the Governor's message in relation to the death of General John C. Breckinridge, reported the following resolution :

WHEREAS, The death of John C. Breckinridge has been officially announced to this body ; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, The nation has lost a distinguished citizen, the State a wise counselor and trusted servant, society a shining and brilliant member.

2. The great loss a community sustains in the death of a man so illustrious and beloved cannot be measured with words. We leave the impartial judgment of history to place him among the actors of his time, as his talents and his services may entitle him, feeling no apprehension that posterity will depreciate or underestimate the exalted virtues we knew him to possess.

3. We can only extend to our people our sympathy for the loss we have sustained in common, and to his family expressions of condolence for their bereavement which not even time can fully assuage.

4. That these resolutions be spread upon the Journals of the Senate and House of Representatives, and that a copy be engrossed and forwarded to the family of the deceased.

5. That, as an additional mark of respect to the memory of the deceased, this body do now adjourn.

On motion of Mr. Goodloe—

*Ordered*, That said resolution be printed, and made the special order of the day for to-morrow, at 11 o'clock.

The Senate took up for consideration bills of the following titles, viz :

A bill to amend an act, entitled "An act to incorporate the Union Railroad Company," approved February 18th, 1870.

A bill to amend an act, approved February 9th, 1872, in relation to the Augusta and Minerva Turnpike Road Company, in Bracken county.

A bill to change the time of holding circuit courts in the 15th judicial district.

A bill to prevent trespass.

Which bills were severally read the second time.

On motion of Mr. Swoope—

*Ordered*, That the last named bill be committed to the Committee on the Judiciary.

The Speaker announced the appointment of the following committee to examine the books and accounts of the Auditor of Public Accounts and State Treasurer, as required by the General Statutes, viz: Messrs. Varnon, Tyler, Simmons, R. G. Hays, and Culbertson.

Mr. Brown read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Quarter-Master General is hereby directed to cause to be fired a national salute on the 8th day of January, 1876, and also on February 22d, 1876, in commemoration of the battle of New Orleans and the birthday of Washington, and that the Auditor be directed to draw his warrant on the Treasurer for the cost of the same.

The rule of the Senate being dispensed with,

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration

A bill to prevent the receiving or using of free tickets over railroads in this Commonwealth.

Said bill was read a second time, as follows, viz:

*[See bill on page 57 of this Journal.]*

Sundry amendments to said bill were proposed,

Pending the consideration of which, Mr. Swoope moved to lay said bill and pending amendments on the table.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
James Blackburn,	Duncan Harding,	P. A. Lyon,
Scott Brown,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
W. A. Cunningham,	John Hyden,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—24.

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Robert Simmons,
Wm. J. Berry,	George B. Hodge,	E. W. Turner,

Robert A. Briggs,	S. H. Jenkins,	H. A. Tyler,
James B. Garnett,	C. N. Pendleton,	Thos. W. Varnon—12.

So said bill was rejected.

And then the Senate adjourned.

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THURSDAY, JANUARY 7, 1876.

Leave was given to bring in the following bills, viz :

On motion of Mr. Hyden—

1. A bill to amend section 2, article 9, chapter 18, of the General Statutes.

On motion of Mr. Simmons—

2. A bill to create a court of common pleas in the counties of Estill, Lee, Breathitt, Magoffin, Wolfe, Menifee, Elliott, and Morgan.

On motion of Mr. Walton—

3. A bill to amend chapter 29, article 9, General Statutes, so as to change the mode of punishment in cases of petit larceny.

On motion of Mr. R. G. Hays—

4. A bill for the benefit of the sheriff of Jefferson county.

On motion of Mr. Wright—

5. A bill to amend section 1, article 7, of the General Statutes.

On motion of Mr. Finley—

6. A bill for the benefit of the sureties of J. B. Brassfield, late sheriff of Whitley county.

*Ordered*, That the Committee on Education prepare and bring in the 1st and 5th; the Committee on the Judiciary the 2d; the Committee on General Statutes and Codes of Practice the 3d; the Committee on Finance the 4th, and the Committee on Claims the 6th.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to amend an act, entitled "An act incorporating the German Real Estate and Building Association of Louisville."

Which was read the first time and ordered to be read a second time.



The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration

A bill to amend the charter of the Kentucky Central Railroad Company.

Said bill was read a second time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter, in all elections by said corporation, the stockholders shall each be entitled to one vote for every share of stock held by such stockholder thirty days before the said election; and an act to amend the charter of the Covington and Lexington Railroad Company, approved 24th November, 1851, be, and the same is hereby, repealed.

§ 2. That said company shall be empowered, by a vote of two thirds of its stockholders, at any regular or at any called meeting, to purchase any railroad or railroads chartered by the General Assembly of Kentucky connecting with said Kentucky Central Railroad, or to subscribe to the capital stock, in whole or in part, of said railroad or railroads. In the event of a purchase of or a subscription to stock by the Kentucky Central Railroad Company, of or in any railroad or railroads herein authorized, the said Kentucky Central Railroad Company shall be authorized to pay for the same in money, stock, or bonds; and in order to make provision therefor, the said company shall, with the consent of two thirds of its stockholders, be empowered to increase its capital stock, or to issue bonds in amounts sufficient to pay for the same, payable in thirty years. Said bonds shall be payable in or out of the State, and shall bear an annual interest of not more than seven per cent. per annum, payable semi-annually, and may be sold for an amount less than par, if deemed advisable by the company. To secure the prompt payment of said bonds, the Kentucky Central Railroad Company is hereby empowered and authorized to give and execute a mortgage lien upon the property, franchises, rights, and credits of said corporation, and pledge the same as a security for said loan or bonds of said corporation issued for the purpose aforesaid; and all bonds made or issued by said corporation for the purposes aforesaid shall be binding and obligatory.

§ 3. That said Kentucky Central Railroad Company may subscribe, or otherwise aid in other modes deemed advisable, in the building of turnpikes or bridges abutting upon said railroad or adjacent thereto, which reasonably may be deemed feeders to said road; and all stock

issued by the Kentucky Central Railroad Company, under and by virtue of a written compromise and final adjustment of a suit in the Kenton circuit court, of Covington and Lexington Railroad Company against Winslow and others, entered into by the plaintiffs in said suit and Wm. Ernst and others, on 6th May, 1875, be, and the same is hereby, legalized.

Mr. Vories proposed to amend said bill as follows, viz :

In section 2, line 21, add after the word obligatory, the following :  
“ *Provided, however,* That the wages of employees and damages to persons and property shall have a prior lien to all others for services performed and damages to persons and property.”

Pending the consideration of which amendment,

On motion of Mr. Simmons,

*Ordered,* That said bill and pending amendment be committed to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had concurred in a resolution which originated in the Senate, entitled :

Resolution ordering the firing of a national salute on the 8th January and 22d February, 1876,

With an amendment thereto.

Which was taken up, twice read, and concurred in.

Mr. Barker, from the Committee on General Statutes and Codes of Practice, to whom was referred leave to bring in a bill to amend section 14, of article 8, chapter 92, of the General Statutes, asked to be discharged from the further consideration of the leave, which was granted.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to authorize the justices of the peace in the 1st, 2d, and 3d magisterial districts of Newport to hold daily sessions and hear civil causes.

By Mr. Tyler, from the Committee on Military Affairs—

A bill to place the office of Adjutant General on a peace footing, and fix the salary.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to repeal article four of chapter fifty-five of the General Statutes.

By same—

A bill to amend section 16, article 13, chapter 38, of the General Statutes.

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

A bill to incorporate Confidence Lodge, No. 46, Independent Order of Odd Fellows, of Augusta, Bracken county.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

A bill to repeal section 4, article 29, chapter 29, of General Statutes.

By Mr. Goodloe, from the Committee on General Statutes and Codes of Practice—

A bill for the benefit of the children of Joseph Ross, deceased.

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill to repeal chapter 579 of the acts of 1873-'4.

Which bills were severally read the first time and ordered to be read a second time.

A message in writing was received from the Governor, by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 7th, 1876. }

*Gentlemen of the Senate :*

In accordance with the requirements of section 3, article 1, chapter 108, of the General Statutes, I herewith communicate to you a copy of the bond of the Treasurer of Kentucky, executed 29th day of December, 1875, and approved by me December 30th, 1875; also a copy of the oath taken by him December 30th, 1875.

JAMES B. McCREARY,  
*Governor of Kentucky.*

STATE OF KENTUCKY, *scilicet* :

We, James W. Tate, Treasurer of the State of Kentucky, and the undersigned, his sureties, agree and bind ourselves, jointly and severally, in the penalty of three hundred thousand dollars, that the said James W. Tate, Treasurer as aforesaid, shall well and truly discharge all the duties imposed upon him by law; that he shall faithfully hold and keep all moneys of the Commonwealth of Kentucky intrusted to him by the laws of the State; that he will pay in due time all moneys directed by law to be paid out of the Treasury, and will well and faithfully discharge not only the duties now imposed upon the Treasurer of this State, and such other duties as may be hereafter imposed

upon him by any act of the General Assembly of the Commonwealth of Kentucky.

Witness our hands this 29th day of December, 1875.

[Signed]

JAMES W. TATE,

W. J. CHINN,

EDMUND BOTTS,

W. S. FOGG,

W. H. BARBEE, }

B. T. QUINN, }

By A. J. James, their Attorney in fact.

ISAAC WINGATE,

W. E. FEATHERSTON, }

WILLIAM JONES, }

S. BLACK, }

R. A. WILSON, }

C. WARREN, }

A. W. MACKLIN, }

D. M. BOWEN, }

G. W. ROBB, }

WM. GIBSON, }

C. T. FREEMAN, }

J. W. STEVENSON, }

By A. J. James, their Attorney in fact.

HIRAM BERRY.

COMMONWEALTH OF KENTUCKY, }  
OFFICE OF SECRETARY OF STATE. }

I, J. Stoddard Johnston, Secretary of State for the Commonwealth of Kentucky, do hereby certify that the foregoing is a true and correct copy of the official bond of James W. Tate, Treasurer of the State of Kentucky, the original of which has been filed in my office by the Governor of Kentucky, as required by law, and is now in my custody.

Given under my hand this 6th day of January, A. D. 1876.

J. STODDARD JOHNSTON,

*Secretary of State.*

FRANKLIN COUNTY, *set.* :

This day James W. Tate came personally before the undersigned, a justice of the peace for said county, and took the oath prescribed in the first section of the eighth article of the Constitution of Kentucky, according to law.

Witness my hand as a justice of the peace for said county, this 30th day of November, 1875.

[Signed]

G. W. GWIN, J. P. F. C.

I certify that the foregoing is a true copy of the original on file in my office.

J. STODDARD JOHNSTON,

*Secretary of State.*



The Senate, according to order, took up for consideration the joint resolution reported by Mr. Goodloe, from a select committee, entitled

Resolution in relation to the death of Gen. John C. Breckinridge.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

And then the Senate adjourned.

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SATURDAY, JANUARY 8, 1867.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to charter the Mechanics' Bank of Paducah," approved February 7, 1867.
2. An act to incorporate the Falmouth Deposit Bank.
3. An act to incorporate the St. Bonifacius Roman Catholic Men's Society of Paducah.
4. An act to amend the charter of the Lebanon and Bradfordsville Turnpike Company.
5. An act for the benefit of the Lebanon and Bradfordsville Turnpike road Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Banks and Insurance; the 3d to the Committee on Religion and Morals, and the 4th and 5th to the Committee on Internal Improvement.

Bills of the following titles were reported by Mr. Cunningham from the Committee on Courts of Justice, which had been directed to prepare and bring in the same, viz :

A bill to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

A bill to amend an act, entitled "An act to change the time of holding circuit, criminal, and chancery courts in the 12th judicial district," approved 16th April, 1873.

Which bills were severally read the first time.

Mr. J. W. Hays, from the Committee on the Judiciary, reported

A bill increasing the jurisdiction of the quarterly court and justices in Christian county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Sundry amendments were proposed to said bill, pending the consideration of which, on motion,

*Ordered*, That said bill and pending amendments be recommitted to the Committee on the Judiciary.

Mr. Briggs moved the following resolution, viz :

*Resolved*, That the Committee on Banks and Insurance be instructed to inquire into and report to the Senate whether or not the various banks of this Commonwealth bear their equal proportion of taxation, State, county, and municipal, and report by bill or otherwise.

Which was adopted.

Mr. Cleveland moved the following resolution, viz :

*Resolved*, That the Committee on the Penitentiary be instructed to inquire into the character of the work and the condition of the health of the convicts in the penitentiary, and report by bill or otherwise.

Which was adopted.

The Senate took up for consideration bills of the following titles, viz :

A bill to change the time of holding courts in the 15th judicial district.

A bill to amend an act, entitled "An act to incorporate the Union Railroad Company," approved February 18th, 1870.

Which bills were severally read the third time.

The Senate took up for consideration

A bill to amend an act, approved February 9th, 1872, in relation to the Augusta and Minerva Turnpike Road Company, in Bracken county.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration

A bill for the benefit of the sureties of Jno. G. Samuels, late sheriff of Nelson county.

Said bill was read a second time as follows :

WHEREAS, John G. Samuels, late sheriff of the county of Nelson, made default for the revenue for the year 1873, which was due and payable into the State Treasury on the first day of April, 1874, and in June, 1874, judgment was rendered in the Franklin circuit court against said Samuels, and Squire Murphy, Dent S. Pash, Orion N. Cox, G. W. Foreman, Alexander Sayers, Jas. G. Samuels, and Wilson Samuels, his sureties, for the sum of fifteen thousand six hundred and eight dollars and forty-one cents, with interest thereon at the rate of ten per centum from the first day of June, 1873, until paid, all of which has been paid; and the said Samuels being insolvent, and having become a non-resident of this State, said sureties had to pay a large part of said judgment, and are without remedy for the reasons aforesaid; and the payment of ten per centum interest on said judgment for ten months before said revenue was due and payable into the Treasury, amounting to the sum of thirteen hundred dollars, is a great hardship on said sureties; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer in favor of said Squire Murphy, Dent S. Pash, Orion N. Cox, G. W. Foreman, Alexander Sayers, James G. Samuels, and Wilson Samuels, for said sum of thirteen hundred dollars, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.

*Ordered*, That said bill be engrossed and read a third time.

~~The~~ The rule of the Senate and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. N. Pendleton,
Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,

W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—34.
James B. Garnett,		

In the negative—Wm. J. Berry—1.

*Resolved*, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. Garnett—

1. A bill amending article 11, chapter 29, of the General Statutes.

On motion of Mr. Swoope—

2. A bill to amend section 3, article 3, chapter 52, of General Statutes.

On motion of same—

3. A bill to amend section 1, article 15, chapter 28, of General Statutes.

On motion of Mr. Barker—

4. A bill to amend chapter 7 of the General Statutes.

On motion of Mr. Cleveland—

5. A bill to increase the jurisdiction of the presiding judges in the counties of Bracken and Grant.

On motion of Mr. Simmons—

6. A bill for the benefit of school district No. 21, in Kenton county.

On motion of Mr. Barker—

7. A bill to create the 17th circuit court judicial district, to be composed of the counties of Bullitt, Spencer, Anderson, Shelby, Oldham, Henry, Trimble, and Carroll.

On motion of Mr. Read—

8. A bill to regulate the jurisdiction of the 9th judicial circuit court.

On motion of Mr. Vories—

9. A bill to amend the turnpike law of Henry county.

On motion of Mr. Simmons—

10. A bill to amend article 2, chapter 33, of the General Statutes.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 2d, 3d, and 10th; the Committee on the Judiciary the 4th and 7th; the Committee on Courts of Justice the 5th and 8th; the Committee on Education the 6th, and the Committee on Internal Improvement the 9th.



Mr. Lyon, from the Committee on Enrollments, reported that the Committee had examined an enrolled resolution, which originated in the House of Representatives, of the following title, viz :

Resolution to appropriate money to Thomas S. Pettit and K. F. Prichard ;

And enrolled resolutions, which originated in the Senate, of the following titles, viz :

Resolution in relation to the Governor's message ;

Resolution for the benefit of J. Russell Hawkins ;

Resolution ordering the firing national salutes on the 8th January and the 22d February, 1876 ;

And had found the same truly enrolled.

Said resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and the same were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that he had approved and signed sundry enrolled resolutions, which originated in the Senate, of the following titles, viz :

Resolution for the benefit of J. Russell Hawkins.

Resolution ordering the firing of national salutes on the 8th of January and the 22d of February, 1876.

Resolution in relation to the Governor's message.

And then the Senate adjourned.

MONDAY, JANUARY 10, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, approved February 9th, 1872, in relation to the Augusta and Minerva Turnpike Road Company, in Bracken county.

An act to amend an act, entitled "An act incorporating the German Real Estate and Building Association, of Louisville."

An act to provide for the holding of county courts when the judge is absent or cannot preside.

That they had passed bills of the following titles, viz :

1. An act to amend the charter of the Mayslick and Helena Turnpike Road Company, in Mason county.

2. An act to amend the charter of the Hills City Turnpike Road Company.

3. An act to incorporate Harrodsburg Library Association.

4. An act to repeal an act, entitled "An act to incorporate a police municipality in Jefferson county," approved 11th February, 1874.

5. An act to repeal an act, entitled "An act to apply the provisions of an act, entitled 'An act to incorporate a municipality in Jefferson county' to certain other precincts," approved February 23, 1874, styled chapter 566.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Internal Improvement, and the 3d, 4th, and 5th to the Committee on the Judiciary.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the House of Representatives, entitled

Resolution for the benefit of Thomas S. Pettit and K. F. Prichard.

The following petitions were presented, viz :

By Mr. J. W. Hays—

The petition of Charles G. Wintersmith, asking an appropriation of money from the Treasury.

By Mr. Swoope—

The petition of the Henderson Medical Club, praying the passage of an act in which the claims of physicians, incurred during the last illness of the decedent, shall be classified with those having precedence in the settlement of estates.

Which petitions were received, the reading dispensed with, and referred—the first to the Committee on Claims, and the 2d to the Committee on General Statutes and Codes of Practice.

Leave was given to bring in the following bills, viz :

On motion of Mr. Swoope—

1. A bill to amend section 33 of article 2 of chapter 39 of General Statutes.

On motion of Mr. J. W. Hays—

2. A bill to amend the charter of the Louisville and Nashville Railroad Company.

On motion of Mr. Wright—

3. A bill to amend an amended act to charter Green River Female College, approved February 20th, 1869.

On motion of Mr. Lovel—

4. A bill, entitled "An act to amend an act, entitled 'An act to amend the charter of the Concord and Tollsboro Turnpike Road Company,'" approved December 22, 1873.

On motion of Mr. Marble—

5. A bill to amend an act, entitled "An act to amend chapter 28 of the Revised Statutes, title 'Crimes and Punishments.'"

On motion of Mr. Turner—

6. A bill to cause the revenue and county levy of Clay county to be collected for the years 1875 and 1876.

On motion of Mr. Garnett—

7. A bill authorizing the jailer of Trigg county to appoint a deputy.

On motion of Mr. Finley—

8. A bill for the benefit of James Wilson, of Bell county.

On motion of Mr. Brown—

9. A bill to amend an act, entitled "An act to charter the Frankfort Building and Loan Association," approved March 22, 1872.

On motion of Mr. R. G. Hays—

10. A bill to amend an act, entitled "An act to regulate the sale of medicines and poisons," approved February 21, 1874.

On motion of Mr. Leslie—

11. A bill to amend section 1, article 14, of chapter 28, General Statutes.

On motion of Mr. Marble—

12. A bill, entitled "An act to amend an act, approved March 7, 1873, entitled 'An act to amend the laws in reference to peddlers.'"

On motion of Mr. Varnon—

13. A bill to amend an act for the benefit of John Frye, of Lincoln county," approved March 10, 1871.

On motion of Mr. Berry—

14. A bill for the benefit of the jailer of Ohio county.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 5th, 6th, 10th, 11th, 12th, and 13th; the Committee on Railroads the 2d; the Committee on Education the 3d; the Committee on Internal Improvement the 4th; the Committee on Courts of Justice the 7th; the Committee on Claims the 8th; the Committee on Banks and Insurance the 9th, and the Committee on Appropriations the 14th.

A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 10, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice and consent J. Stoddard Johnston, for appointment as Secretary of State, to hold office during the term and according to the conditions prescribed by the Constitution of Kentucky.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said appointment.

Mr. Lyon, from the Committee on Enrollments, announced that the Committee had appointed Mr. Henry T. Stanton as clerk of said committee.

Mr. Stanton then came forward to the bar of the Senate, and was duly sworn and qualified as clerk of said committee.

On motion of Mr. Finley, leave of absence, indefinitely, was granted Mr. Goodloe.



On motion of Mr. J. W. Hays, leave of absence, indefinitely, was granted Messrs. Lindsay and Barker.

The Senate took up for consideration

A bill for the benefit of licensed keepers of stud-horses, jacks, and bulls, of Washington county.

Said bill was read a second time.

Mr. Finley proposed an amendment to said bill, which was rejected.

Sundry amendments were then proposed to said bill, which were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be amended so as to read,

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls, of the counties of Washington, Ballard, Madison, Bracken, Pendleton, and Grant.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill for the benefit of Thomas Shanks, sheriff of the county of Jefferson.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was then read a third time as follows, viz :

WHEREAS, Thomas Shanks, sheriff of Jefferson county, settled his revenue account for the year 1874 in full, without having received credit for sundry exonerations and delinquent lists ; and whereas, the Auditor of Public Accounts has no power or authority to allow said Shanks the amount of said exonerations and delinquent lists without special legislation ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby authorized and directed to allow Thomas Shanks, sheriff of Jefferson county, the sum of five thousand two hundred and seventy dollars and eighty-three cents credit on his revenue account for the year 1875, it being the amount of said exonerations and delinquent lists that ought to have been credited to him in the year 1874 ; and that this act take effect and be in force from its passage.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Edwards, from the Committee on Propositions and Grievances—

A bill to repeal an act, entitled “An act to amend an act to amend the charter of the town of Hartford.”

By same—

A bill for the benefit of Perry Jefferson, late sheriff of Mason county, and his deputies.

By Mr. Hodge, from the Committee on Railroads—

A bill to incorporate the South Covington and Cincinnati Street Railway Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cleveland, from a select committee, read and laid on the table a joint resolution, entitled

Resolution in relation to the death of Governor Bramlette.

The Senate took up for consideration bills of the following titles, viz :

A bill for the benefit of the children of Joseph Ross, deceased.

A bill to amend the law of evidence.

Which bills were severally read a second time.

*Ordered*, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration bills of the following titles, viz :

A bill to amend an act, entitled “An act to incorporate the Union Railroad Company,” approved February 18th, 1870.

A bill to change the time of holding circuit courts in the 15th judicial district.

The question was then taken severally on the passage of said bills, and it was decided in the affirmative.

*Resolved*, That the titles of said bills be as aforesaid.

The Senate took up for consideration

A bill for the benefit of the heirs of Mary Scott, of Jessamine county.

Said bill was read a second time as follows, viz :

WHEREAS, Mrs. Mary Scott, of the county of Jessamine, was by force deprived of the possession of her farm and home in said county by the United States military authorities in the spring of 1863, and the said farm and home was held, occupied, and used by them in the name and under authority of the United States government as a military post until after the close of the war in 1865, she being during said years deprived of the use or possession thereof; and whereas, the said Mary Scott has departed this life; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer in favor of the heirs of the said Mary Scott, for the sum of one hundred and forty (\$140) dollars, to be paid out of any moneys in the Treasury not otherwise appropriated, that being the sum she was required to pay and did pay into the Treasury of the State for taxes during the years 1863, 1864, and 1865, during which time the Federal government had and retained forcible possession of her said property upon which the said amount of taxes was paid.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Turner moved that the further consideration of said bill be postponed and made the special order of the day for Wednesday next, at 11 o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Read then moved to recommit said bill to the Committee on Claims.

And the question being taken on the adoption of said motion, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	R. G. Hays,	G. W. Swoope,
Scott Brown,	George B. Hodge,	E. W. Turner,
Andrew J. Ewing,	Joseph B. Read,	Thos. W. Varnon—11.
Duncan Harding,	J. H. Stanley,	

Those who voted in the negative, were—

Wm. J. Berry,	James W. Hays,	Sumner Marble,
Robert A. Briggs,	B. W. S. Huffaker,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—18.

So said bill was rejected.

And then the Senate adjourned.

## TUESDAY, JANUARY 11, 1876.

A message was received from the House of Representatives, announcing that they had passed bills and adopted a resolution of the following titles, viz :

1. An act to amend chapter 52 of the General Statutes, entitled "Husband and Wife."
2. An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."
3. An act to increase the jurisdiction of the police judge of Caseyville, Union county.
4. Resolution in relation to the records in the Land Office.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on General Statutes and Codes of Practice; the 2d and 3d to the Committee on the Judiciary, and the 4th, the resolution, to the Committee on Library and Public Offices and Buildings.



A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 11, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice the following named persons as worthy to be commissioned as notaries public, to act in the limits herein set forth :

John J. McRoberts, Lincoln county.  
Joseph M. Gleason, Louisville.  
Thomas P. Grathy, Louisville.  
C. P. Will, Jefferson county.  
R. M. Davis, Fayette county.  
J. D. Wilson, Graves county.  
Charles P. Will, Jefferson county.  
Aaron A. Pointer, Hart county.  
Robert Kennard, Garrard county.  
C. H. Thomas, Ballard county.  
Brent Haggin, Jefferson county.  
J. W. Pointer, Clark county.  
T. J. Quisenberry, Clark county.  
C. Winn Courts, Logan county.  
J. M. Curd, Mercer county.  
William P. Payne, Warren county.  
J. M. Cogle, Larue county.  
John M. Park, Hardin county.  
Thornton West, Jefferson county.  
John A. Burton, Madison county.  
Waller Bennett, Madison county.  
William Dulaney, Warren county.  
E. A. Graves, Jefferson county.  
J. D. Oleary, Jefferson county.  
George Stoll, Fayette county.  
George Stoll, jr., Fayette county.  
Whittington King, Fayette county.  
John A. Hamilton, Fayette county.  
R. M. Davis, Fayette county.  
P. A. Blackwell, Henderson county.  
Thomas R. Sinton, Jefferson county.  
Charles D. Hoffman, Spencer county.  
J. E. Potter, Warren county.  
O. H. Hayne, Daviess county.  
John B. Walker, jr., Madison county.  
James P. Helm, Jefferson county.  
John A. Torrence, Jefferson county.  
George R. Goran, Warren county.

John B. Thornsberry, Jefferson county.

U. Keenon, Franklin county.

J. N. Brafford, Knox county.

D. W. Gowdy, Taylor county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

Mr. Wright, from the Committee on Agriculture and Manufactures, to whom was recommitted

A bill to amend an act, entitled "An act to incorporate the Silver Spar and Mining Company,"

Reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the Committee on the Judiciary without expression of opinion.

By Mr. J. W. Hays—

A bill to amend chapter 7, General Statutes, title "Bastardy."

By Mr. Turner—

A bill to amend article 12 of chapter 33 of General Statutes, entitled "Elections."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the first was ordered to be printed, and made the special order of the day for day after to-morrow, the 13th inst., at 10½ o'clock, A. M., and the last was ordered to be printed and placed in the orders of the day.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to cause the revenue and county levy of Clay county to be collected for the years 1875 and 1876.

By Mr. Varnon, from the Committee on General Statutes and Codes of Practice—

A bill to amend chapter 28, article 18, title "Courts," of the General Statutes.

By Mr. Cleveland, from a select committee—

A bill to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last named bill was made the special order of the day for Monday next, the 17th inst., at 10½ o'clock, A. M., and the others were severally ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, reported

A bill to amend section 3, article 4, chapter 5, of the General Statutes.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 3, article 4, of the General Statutes be amended by adding to said section the following words: And in case where, from previous employment in the defense, or relationship, the Commonwealth's attorney cannot prosecute, the court shall have power to appoint some suitable attorney to prosecute such case, and shall enter up an order making such attorney a reasonable allowance, to be paid out of the Treasury.

Mr. Wright then proposed to amend said bill by adding the following thereto:

*Provided*, That such allowance shall not exceed ten dollars for prosecuting in any one such prosecution.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Ewing then proposed to amend said bill by adding the following, viz:

*Provided*, That when the Commonwealth's attorney cannot prosecute on "account of his previous employment," the allowance made to the attorney to prosecute shall be deducted from said Commonwealth attorney's salary.

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Vories, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	P. A. Lyon,
Wm. J. Berry,	R. G. Hays,	Joseph B. Read,
James Blackburn,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton—25.
Joseph Gardner,		

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	C. N. Pendleton,
Robert A. Briggs,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	Sumner Marble,	George Wright—10.
James B. Garnett,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Turner presented the report of the commissioners to superintend the improvement of Rockcastle river.

Which report was received.

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted

A bill increasing the jurisdiction of the quarterly court and justices in Christian county,

Reported the same with sundry amendments, which were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof, as amended, be changed so as to read,

An act increasing the jurisdiction of the quarterly courts and justices in Christian and other counties.



Mr. J. W. Hays read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz :

The Hon. John L. Helm, late Governor of this State, and one of the most distinguished of its native-born citizens, having departed this life at his late residence in Hardin county on the 8th day of September, 1867, shortly after his inauguration as Governor of the State, it is eminently proper that the representatives of the people should pay suitable tribute to his memory ; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer for the sum of fifteen hundred dollars, payable out of any money in the Treasury not otherwise appropriated, for the purpose of erecting a suitable monument over his remains near Elizabethtown, under the order of His Excellency the Governor of this Commonwealth.

On motion of Mr. J. W. Hays,

*Ordered,* That said resolution be printed and placed in the orders of the day.

The Senate took up for consideration a bill, which originated in the Senate, entitled

An act for the benefit of Thomas Shanks, sheriff of the county of Jefferson.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—35.
H. F. Finley,	P. A. Lyon,	

In the negative—George Wright—1.

*Resolved,* That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. Wright—

1. A bill to release the sheriff of Allen county from collecting the railroad tax.

On motion of Mr. Walton—

2. A bill for the benefit of B. R. Nahl and other securities of James Gore, late sheriff of Larue county.

On motion of Mr. Hodge—

3. A bill to incorporate and redistrict Cold Spring, in Campbell county.

On motion of Mr. Finley—

4. A bill to facilitate and insure the collection of the revenue and county levy in the various counties of this Commonwealth.

On motion of Mr. Vories—

5. A bill to secure the rights of married women and to prevent the sacrifices of their husband's estates.

On motion of Mr. Marble—

6. A bill to amend an act approved March 19th, 1873, entitled "An act to incorporate the Pomeroy Coal Company."

On motion of Mr. Berry—

7. A bill to incorporate Stonewall Lodge, No. 156, I. O. O. F., at Hartford, Ohio county.

On motion of Mr. Gardner—

8. A bill for the benefit of Farish Arnett, late sheriff of Magoffin county.

On motion of Mr. Turner—

9. A bill for the benefit of Samuel H. Hollansworth, sheriff of Jackson county.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Finance the 2d, 4th, and 8th; the Committee on Education the 3d; the Committee on General Statutes and Codes of Practice the 5th, 6th, and 9th, and the Committee on Religion and Morals the 7th.

Mr. Lyon, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, approved February 9th, 1872, in relation to the Augusta and Minerva Turnpike Road Company, in Bracken county;

An act to provide for the holding of county courts when the judge is absent or cannot preside;

An act to amend an act, entitled "An act incorporating the German Real Estate and Building Association of Louisville;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

The Senate took up for consideration

A bill for the benefit of John B. Ruark, of Hart county.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant on the Treasury for the sum of three hundred and eight dollars and thirty-three cents in favor of John B. Ruark, committee of Priscilla M. Ruark, a pauper lunatic of Hart county, Kentucky, for keeping said lunatic from the 28th of March, 1872, to the 15th of October, 1873, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

*Ordered*, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—35.
H. F. Finley,	P. A. Lyon,	

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration

A bill to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways."

Which was read a second time.

*Ordered*, That said bill be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill.

Pending the consideration of which, further action was cut off, the hour having arrived for the execution of the joint order of the day.

At 12 o'clock, M., the Speaker announced that the hour had now arrived for the execution of the joint order of the day, the election of a Senator in the Congress of the United States, to succeed the Hon. John W. Stevenson, whose term of office expires the 4th day of March, 1877.

On motion of Mr. J. W. Hays, a message was sent to the House of Representatives, informing that body that the Senate was now ready to proceed to the execution of the joint order of the day.

Whereupon Messrs. J. W. Hays, Lindsay, and Huffaker were appointed a committee for the purpose aforesaid.

After a short time, Mr. Hays reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they were now ready to execute the joint order of the day, the election of a Senator in the Congress of the United States.

The roll was then called, and the following Senators were found to be present, viz :

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
W. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	George. B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—37.
Joseph Gardner,		

The Speaker then announced that nominations for the office of United States Senator were in order.



Whereupon Mr. Garnett nominated the Hon. Jas. B. Beck as a suitable person to fill said office.

Mr. Barker nominated for the same office Hon. Preston H. Leslie.

Mr. Gardner nominated for the same office Hon. Jno. S. Williams.

Mr. Varnon nominated for the same office Hon. Jno. W. Stevenson.

Mr. Huffaker nominated for the same office Hon. Wm. Cassius Goodloe.

On motion of Mr. Wright, a committee was appointed to inform the House of Representatives of the names of those now in nomination for the office of United States Senator in the Senate.

Whereupon Messrs. Wright, Simmons, and Berry were appointed said committee.

After a short time, Mr. Wright reported that the committee had performed the duty assigned them.

A message was received from the House of Representatives, announcing the names of those who had been placed in nomination in that House for the office of United States Senator, as follows, viz:

Hon. James B. Beck, Hon. Preston H. Leslie, Hon. John S. Williams, Hon. John W. Stevenson, and Hon. Wm. Cassius Goodloe.

The Speaker then announced that the Clerk would now proceed to take the vote, and on the taking of which the vote stood thus:

Those who voted for Mr. Beck, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—15.

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	W. L. Vories,
Scott Brown,	D. H. Lindsay,	George Wright—8.
P. F. Edwards,	Joseph B. Read,	

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner—5.
Joseph Gardner,	James W. Hays,	

Those who voted for Mr. Stevenson, were—

George B. Hodge,	G. W. Swoope,	Thos. W. Varnon—4.
Robert Simmons,		

Those who voted for Mr. Goodloe, were—

Wm. J. Berry,	H. F. Finley,	C. J. Walton—5.
W. W. Culbertson,	B. W. S. Huffaker,	

The Speaker then announced that no person having received a majority of all the votes cast, the Clerk will make such entry on the Journal, which was done.

And then the Senate adjourned.

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WEDNESDAY, JANUARY 12, 1876.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to continue in force an act, entitled "An act for the benefit of the administrators of William Simpson, late clerk of the Wayne circuit and county courts."

2. An act to change the time of electing trustees, &c., in the town of Barbourville.

3. An act to create an additional voting place in the 5th magisterial district of Kenton county.

4. An act for the benefit of Wells, Mitchell & Co.

5. An act to revive to the Paducah, Benton, and Murray Gravel Road Company, the franchises granted it by an act approved December 16, 1871.

6. An act to authorize the Helena Turnpike to relinquish a part of its road to the Mayslick and Helena Turnpike Road.

7. An act to change the time of holding justices' courts in Washington county.

8. An act to change the time of holding the court of claims of Meade county.

9. An act to amend section 7, article 2, chapter 92, of the General Statutes.

10. An act to amend subsection 2, section 1, article 4, chapter 63, General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—

the 1st, 7th, and 8th to the Committee on Courts of Justice; the 2d and 3d to the Committee on Privileges and Elections; the 4th to the Committee on Banks and Insurance; the 5th and 6th to the Committee on Internal Improvement, and the 9th and 10th to the Committee on General Statutes and Codes of Practice.

The following petitions were presented, viz :

By Mr. Stanley--

The petition of sundry citizens of Henderson county, in relation to certain proposed powers to be conferred upon the town marshal of the city of Henderson.

By Mr. Lindsay--

The petition of sundry citizens of the town of Glencoe, praying for an act of incorporation.

Which petitions were received, the reading dispensed with, and referred to the Committee on the Judiciary.

On motion of Mr. Berry, leave of absence, indefinitely, was granted Mr. Walton.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that he had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz :

An act to provide for the holding of county courts when the judge is absent or cannot preside.

An act to amend an act, entitled "An act incorporating the German Real Estate and Building Association of Louisville."

An act to amend an act, approved February 9th, 1872, in relation to the Augusta and Minerva Turnpike Road Company, in Bracken county.

A message in writing was received from the Governor, by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 11th, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice and consent J. W. Grigsby, J. L. Allen, and R. W. Graham, of Boyle county, and J. H. Bruce, of Garrard county, for appointment as Commissioners of the Kentucky Asylum at Danville for the Tuition of the Deaf and Dumb, to hold office until the 10th of January, 1882.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved,* That the Senate advise and consent to said nominations.

Mr. Simmons moved to reconsider the vote by which the Senate had, on the day before yesterday, rejected a bill, which originated in the Senate, entitled

An act for the benefit of the heirs of Mary Scott, of Jessamine county.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Joseph B. Read,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon—20.
Andrew J. Ewing,	R. B. Lovel,	

Those who voted in the negative, were—

Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
Robert A. Briggs,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
H. F. Finley,	J. R. Leslie,	George Wright—15.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	J. H. Stanley,
Thos. J. Barker,	Duncan Harding,	G. W. Swoope,
James Blackburn,	R. G. Hays,	E. W. Turner,
Scott Brown,	George B. Hodge,	Thos. W. Varnon—14.
W. A. Cunningham,	Joseph B. Read,	

Those who voted in the negative, were—

Wm. J. Berry,	James W. Hays,	P. A. Lyon,
Robert A. Briggs,	B. W. S. Huffaker,	Sumner Marble,
F. L. Cleveland,	John Hyden,	C. N. Pendleton,
W. W. Culbertson,	S. H. Jenkins,	Robert Simmons,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	George Wright—22.
James B. Garnett,		

So said bill was again rejected.



Mr. Wright moved to reconsider the vote by which the Senate had rejected said bill.

Mr. J. W. Hays moved to lay said motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James W. Hays,	R. B. Lovel,
Robert A. Briggs,	R. G. Hays,	P. A. Lyon,
F. L. Cleveland,	B. W. S. Huffaker,	Sumner Marble,
W. W. Culbertson,	John Hyden,	C. N. Pendleton,
P. F. Edwards,	S. H. Jenkins,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	W. L. Vorles,
James B. Garnett,	D. H. Lindsay,	George Wright—22.
Duncan Harding,		

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	J. H. Stanley,
Thos. J. Barker,	Joseph Gardner,	G. W. Swoope,
James Blackburn,	George B. Hodge,	E. W. Turner,
Scott Brown,	Joseph B. Read,	Thos. W. Varnon—14.
W. A. Cunningham,	Robert Simmons,	

Mr. Barker read and laid on the table a joint resolution.

Which, under the rule, lies one day on the table.

Leave was given to bring in the following bills, viz :

On motion of Mr. Hodge—

1. A bill to incorporate the Lexington and Maysville Railroad Company, Northern Division.

On motion of Mr. Read—

2. A bill for the benefit of and to incorporate the Building and Loan Association of the city of Louisville.

On motion of same—

3. A bill to amend the charter of the city of Louisville.

On motion of Mr. Berry—

4. A bill for the benefit of Ohio county court.

On motion of Mr. Lindsay—

5. A bill to amend the charter of the Louisville, Westport, and Ghent Narrow-gauge Railway.

On motion of Mr. R. G. Hays—

6. A bill fixing a limitation to the collection of what is known as back tax.



In the House of Representatives the vote stood--

For Hon. Jas. B. Beck,	-	-	-	-	-	-	25 votes.
For Hon. Preston H. Leslie,	-	-	-	-	-	-	19 votes.
For Hon. John S. Williams,	-	-	-	-	-	-	28 votes.
For Hon. John W. Stevenson,	-	-	-	-	-	-	15 votes.
For Hon. Wm. Cassius Goodloe,	-	-	-	-	-	-	11 votes.

Total, - - - - - 98 votes.

And that on joint vote

Hon. James B. Beck had received	-	-	-	-	-	40 votes.
Hon. Preston H. Leslie had received	-	-	-	-	-	27 votes.
Hon. John S. Williams had received	-	-	-	-	-	33 votes.
Hon. John W. Stevenson had received	-	-	-	-	-	19 votes.
Hon. Wm. Cassius Goodloe had received	-	-	-	-	-	16 votes.

Whole number of votes cast, - - - - - 135 votes.

Necessary to a choice, 68.

And it appearing from an inspection of the Journals that no person had received a majority of all the votes cast, and a majority of all the members elected to each House of the General Assembly, it was thereupon announced by the Speaker of the Senate, and presiding officer of the joint session, that no person was named and elected to serve as Senator aforesaid.

The Speaker of the Senate then announced that the joint assembly would proceed in conformity with the law to take a vote for Senator in Congress.

Mr. Richard P. Stoll then withdrew the name of Hon. Wm. Cassius Goodloe.

Mr. Finley then nominated Hon. W. O. Bradley as a suitable person to fill the office of Senator in the Congress of the United States.

The joint session of the two Houses, in execution of the laws aforesaid, and for the purpose aforesaid, proceeded to another ballot, which resulted thus:

In the Senate—

Those who voted for Mr. Beck, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—15.

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	W. L. Vories,
Scott Brown,	D. H. Lindsay,	George Wright—8.
P. F. Edwards,	Joseph B. Read,	

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner—5.
Joseph Gardner,	James W. Hays,	

Those who voted for Mr. Stevenson, were—

George B. Hodge,	G. W. Swoope,	Thos. W. Varnon—4.
Robert Simmons,		

Those who voted for Mr. Bradley, were—

W. J. Berry,	H. F. Finley,	B. W. S. Huffaker—4.
W. W. Culbertson,		

In the House of Representatives—

Those who voted for Mr. Beck, were—

Bell G. Bidwell,	Wood M. Jones,	J. V. Owen,
Pat. Campion,	Daniel Lary,	Chas. Patterson,
James W. Chowning,	William B. Lindsay,	John Preston,
John M. Fish,	G. C. Lockhart,	M. M. Sloss,
L. J. Frazee, jr.,	Lucien S. Luttrell,	D. B. Smith,
Joseph A. Gaines,	Matt. McKinney,	Richard A. Spurr,
Thomas W. Henton,	T. J. Megibben,	John A. Steele,
E. E. Hume,	William A. Moore,	L. J. Stephenson—25.
T. J. Jenkins,		

Those who voted for Mr. Leslie, were—

Mr. Speaker (Stone),	G. W. Craddock,	Bryan S. McClure,
William H. Botts,	S. P. Douthitt,	W. L. Pollard,
James H. Bowden,	Thomas J. Drury,	Ben. J. Shaver,
Orlando C. Bowles,	J. H. Emerson,	A. H. Smith,
Tobias W. Burton,	L. E. Green,	G. W. Winns,
E. A. Coffman,	Richard P. Hocker,	Charles H. Wood—19.
James M. Cook,		

Those who voted for Mr. Williams, were—

William C. Allen,	John D. Gardner,	James M. Payne,
• Marshall Baker,	Zach. T. Heady,	George W. Pickett,
James D. Black,	Thomas J. Henry,	John W. Powell,
F. G. Cox,	Allen C. Hagan,	J. N. Price,
P. H. Duncan,	Thomas Johnson,	O. C. Richardson, sr.,
W. J. Edrington,	Wm. Kitchen,	C. W. Robbins,
A. J. Fleming,	Martin W. LaRue,	George R. Snyder,
Joshua G. Ford,	W. Jeff. Lee,	Green Sterrett,
W. H. Frederick,	Wm. E. Minor,	Robert Sterrett,
George H. Gardner,	Thos. J. Montgomery,	W. J. Taylor—30.



Those who voted for Mr. Stevenson, were—

James B. Blue,	Theodore F. Hallam,	Jere. Poor,
John Ellis,	John Watts Kearny,	Samuel Russell,
James Farmer,	Robert E. Little,	Thomas H. Shanks,
William L. Grant,	Robert W. Nelson,	Ralph L. Spalding,
J. Warren Grigsby,	John B. Otten,	Albert A. Stoll—15.

Those who voted for Mr. Bradley, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culbertson,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the vote of the joint assembly, it was found to stand thus :

For Mr. Beck,	- - - - -	40 votes.
For Mr. Leslie,	- - - - -	27 votes.
For Mr. Williams,	- - - - -	35 votes.
For Mr. Stevenson,	- - - - -	19 votes.
For Mr. Bradley,	- - - - -	15 votes.

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Whole number of votes cast, - - - - - 136

Necessary to a choice, 69.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House of the General Assembly, the Speaker of the Senate then announced that the joint assembly would now proceed to take a second joint ballot in further execution of the law, and for the object and purpose aforesaid, which resulted as follows, viz :

In the Senate—

Those who voted for Mr. Beck, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—15.

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	W. L. Vories,
Scott Brown,	D. H. Lindsay,	George Wright—8.
P. F. Edwards,	Joseph B. Read,	

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner—5.
Joseph Gardner,	James W. Hays,	

Those who voted for Mr. Stevenson, were—

George. B. Hodge,      G. W. Swoope,      Thos. W. Varnon—4.  
Robert Simmons,

Those who voted for Mr. Bradley, were—

W. J. Berry,      H. F. Finley,      B. W. S. Huffaker—4.  
W. W. Culbertson,

In the House of Representatives—

Those who voted for Mr. Beck, were—

Bell G. Bidwell,	Wood M. Jones,	J. V. Owen,
Pat. Campion,	Daniel Lary,	Chas. Patterson,
James W. Chowning,	William B. Lindsay,	John Preston,
John M. Fish,	G. C. Lockhart,	M. M. Sloss,
L. J. Frazee, jr.,	Lucien S. Luttrell,	D. B. Smith,
Joseph A. Gaines,	Matt. McKinney,	Richard A. Spurr,
Thomas W. Henton,	T. J. Megibben,	John A. Steele,
E. E. Hume,	William A. Moore,	L. J. Stephenson—25.
T. J. Jenkins,		

Those who voted for Mr. Leslie, were—

Mr. Speaker (Stone),	G. W. Craddock,	Bryan S. McClure,
William H. Botts,	S. P. Douthitt,	W. L. Pollard,
James H. Bowden,	Thomas J. Drury,	Ben. J. Shaver,
Orlando C. Bowles,	J. H. Emerson,	A. H. Smith,
Tobias W. Burton,	L. E. Green,	G. W. Winns,
E. A. Coffman,	Richard P. Hocker,	Charles H. Wood—15.
James M. Cook,		

Those who voted for Mr. Williams, were—

William C. Allen,	John D. Gardner,	James M. Payne,
Marshall Baker,	Zach. T. Heady,	George W. Pickett,
James D. Black,	Thomas J. Henry,	John W. Powell,
F. G. Cox,	Allen C. Hagan,	J. N. Price,
P. H. Duncan,	Thomas Johnson,	O. C. Richardson, sr.,
W. J. Edrington,	Wm. Kitchen,	C. W. Robbins,
A. J. Fleming,	Martin W. LaRue,	George R. Snyder,
Joshua G. Ford,	W. Jeff. Lee,	Green Sterrett,
W. H. Frederick,	Wm. E. Minor,	Robert Sterrett,
George H. Gardner,	Thos. J. Montgomery,	W. J. Taylor—30.

Those who voted for Mr. Stevenson, were—

James B. Blue,	Theodore F. Hallam,	Jere. Poor,
John Ellis,	John Watts Kearny,	Samuel Russell,
James Farmer,	Robert E. Little,	Thomas H. Shanks,
William L. Grant,	Robert W. Nelson,	Ralph L. Spalding,
J. Warren Grigsby,	John B. Otten,	Albert A. Stoll—15.

Those who voted for Mr. Bradley, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culberston,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the second ballot in joint assembly, it was found to stand thus :

For Mr. Beck, - - - - -	40 votes.
For Mr. Leslie, - - - - -	27 votes.
For Mr. Williams, - - - - -	35 votes.
For Mr. Stevenson, - - - - -	19 votes.
For Mr. Bradley, - - - - -	15 votes.

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Whole number of votes cast, - - - - - 136

Necessary to a choice, 69.

No one in nomination having received a majority of all the votes and of all the members elected to each House of the General Assembly, the Speaker of the Senate then announced, that "if it be the pleasure of the joint assembly, they would now proceed to take another vote."

Mr. J. W. Hays then moved that the joint assembly do now dissolve, to meet again to-morrow at 12 o'clock, M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Berry, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Tobias W. Burton,	Martin W. LaRue,
Wm. J. Berry,	James W. Chowning,	Daniel Lary,
James Blackburn,	James M. Cook,	W. Jeff. Lee,
Robert A. Briggs,	F. G. Cox,	Robert E. Little,
Scott Brown,	G. W. Craddock,	Thos. J. Montgomery,
F. L. Cleveland,	K. R. Culbertson,	William A. Moore,
W. W. Culbertson,	S. P. Douthitt,	Robert W. Nelson,
P. F. Edwards,	Thomas J. Drury,	John B. Otten,
Andrew J. Ewing,	P. H. Duncan,	J. V. Owen,
Joseph Gardner,	W. J. Edrington,	James M. Payne,
James B. Garnett,	John Ellis,	George W. Pickett,
Duncan Harding,	Rufus Emmons,	W. L. Pollard,
John Hyden,	James Farmer,	Jere. Poor,
S. H. Jenkins,	John Feland,	John W. Powell,
J. R. Leslie,	Joshua G. Ford,	J. N. Price,
P. A. Lyon,	L. J. Frazee, jr.,	David Pryse,
C. N. Pendleton,	W. H. Frederick,	O. C. Richardson, sr.,
Joseph B. Read,	Joseph A. Gaines,	C. W. Robbins,
Robert Simmons,	John D. Gardner,	Samuel Russell,
J. H. Stanley,	William L. Grant,	Thomas H. Shanks,
G. W. Swoope,	L. E. Green,	A. H. Smith,
W. L. Vories,	Theodore F. Hallam,	George R. Snyder,

George Wright,	Allen C. Hagan,	Richard A. Spurr,
Mr. Speaker (Stone),	Richard P. Hocker,	Green Sterrett,
William C. Allen,	W. G. Hunter,	Albert A. Stoll,
Marshall Baker,	T. J. Jenkins,	W. J. Taylor,
William Berkele,	John Watts Kearny,	G. W. Winns
James D. Black,	Wm. Kitchen,	Charles H. Wood—85.
James B. Blue,		

Those who voted in the negative, were—

Pollock Barbour,	H. H. Brinkley,	Lucien S. Luttrell,
W. A. Cunningham,	Pat. Campion,	Bryan S. McClure,
H. F. Finley,	J. H. Emerson,	T. J. Megibben,
James W. Hays,	John M. Fish,	William E. Minor,
R. G. Hays,	A. J. Fleming,	Samuel R. Overstreet,
George B. Hodge,	George H. Gardner,	Chas. Patterson,
B. W. S. Huffaker,	J. Warren Grigsby,	John Preston,
D. H. Lindsay,	Robert E. Grinstead,	Ben. J. Shaver,
R. B. Lovel,	Zach. T. Heady,	M. M. Sloss,
Sumner Marble,	Thomas J. Henry,	D. B. Smith,
E. W. Turner,	Thomas W. Henton,	Ralph L. Spalding,
H. A. Tyler,	E. E. Hume,	John A. Steele,
Thos. W. Varnon,	Thomas Johnson,	L. J. Stephenson,
Bell G. Bidwell,	Wood M. Jones,	Robert Sterrett,
William H. Botts,	William B. Lindsay,	Richard P. Stoll,
James H. Bowden,	G. C. Lockhart,	E. B. Treadway—49.
Orlando C. Bowles,		

The Senators then repaired to the Senate Chamber, and, on motion, the Senate adjourned.



## THURSDAY, JANUARY 13, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to change the time of holding courts in the 15th judicial district.

An act for the benefit of the sureties of John G. Samuels, late sheriff of Nelson county.

An act to cause the revenue and county levy of Clay county to be collected for the years 1875 and 1876.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Sandy Point Gravel Road Company, in McCracken county.

2. An act to amend an act, entitled "An act to incorporate the Broadway Baptist Church of Louisville," approved March 25th, 1872.

3. An act for the benefit of the Cabin Creek Turnpike Road Company, Lewis county.

4. An act to amend the charter of the town of Campbellsville, Taylor county.

5. An act to incorporate the town of Arlington, in the county of Ballard.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on Internal Improvement, and the 2d, 4th, and 5th to the Committee on the Judiciary.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, to whom was referred leave to bring in

A bill to reduce the salary of the State Librarian,

Asked to be discharged from the further consideration of the same.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Read, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	G. W. Swoope,
Scott Brown,	J. R. Leslie,	E. W. Turner,
F. L. Cleveland,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
P. F. Edwards,	C. N. Pendleton,	W. L. Vories—25.
James B. Garnett,		

Those who voted in the negative, were—

Wm. J. Berry,	Joseph Gardner,	P. A. Lyon,
W. W. Culbertson,	Geo. B. Hodge,	Sumner Marble,
Andrew J. Ewing,	B. W. S. Huffaker,	George Wright—11.
H. F. Finley,	S. H. Jenkins,	

The Senate, according to order, took up for consideration

A bill to amend chapter 7 of the General Statutes, title "Bastardy."

On motion of Mr. Turner,

*Ordered*, That the further consideration of said bill be postponed and made the special order of the day for Saturday next, the 15th inst., at 10½ o'clock, A. M.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Edwards, from the Committee on Propositions and Grievances—

A bill to prevent the destruction of fish in Lewis, Daviess, and McLean counties.

By Mr. R. G. Hays, from the Committee on Railroads—

A bill to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating the Frankfort, Paris, and Big Sandy Railroad Company,'" approved March 4th, 1872.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Edwards, from the Committee on Propositions and Grievances, reported

A bill to incorporate the Maysville and Lexington Railroad Company, Northern Division.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, sundry amendment were proposed to said bill.

Pending the consideration of which, on motion,

*Ordered*, That said bill and pending amendments be printed and recommitted to the Committee on Railroads.

Leave was given to bring in the following bill, viz :

On motion of Mr. Read—

A bill for the benefit of the constables of Jefferson county.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the same.

The hour of 12 o'clock, M., having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, in pursuance of adjournment of the joint session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to succeed the Hon. John W. Stevenson, whose term of office expires March 4th, 1877.

The Speaker of the Senate, at the time designated, took the chair, and called the joint assembly to order.

On motion, the reading of the Journals of the respective Houses was dispensed with.

Mr. Finley withdrew the name of Mr. Bradley.

Mr. Representative Hunter nominated Hon. R. M. Kelly as a suitable person to fill the office of United States Senator.

The Speaker then announced that the Clerks would now proceed to take the third vote in joint assembly, and the vote being taken, stood thus :

In the Senate :

Those who voted for Mr. Beck, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—15.

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner—5.
Joseph Gardner,	James W. Hays,	

## Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	W. L. Vories,
Scott Brown,	D. H. Lindsay,	George Wright—8.
P. F. Edwards,	Joseph B. Read,	

## Those who voted for Mr. Stevenson, were—

George B. Hodge,	G. W. Swoope,	Thos. W. Varnon—4.
Robert Simmons,		

## Those who voted for Mr. Kelly, were—

Wm. J. Berry,	H. F. Finley,	B. W. S. Huffaker—4.
W. W. Culbertson,		

## In the House of Representatives—

## Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	T. J. Jenkins,	J. V. Owen,
Bell G. Bidwell,	Wood M. Jones,	Chas Patterson,
Pat. Campion,	Daniel Lary,	John Preston,
James W. Chowning,	William B. Lindsay,	M. M. Sloss,
John M. Fish,	G. C. Lockhart,	D. B. Smith,
L. J. Frazee, jr.,	Lucien S. Luttrell,	Richard A. Spurr,
Joseph A. Gaines,	Matt. McKinney,	John A. Steele,
Thomas W. Henton,	T. J. Megibben,	L. J. Stephenson—26.
E. E. Hume,	William A. Moore,	

## Those who voted for Mr. Williams, were—

William C. Allen,	John D. Gardner,	George W. Pickett,
Marshall Baker,	Zach. T. Heady,	W. L. Pollard,
James D. Black,	Thomas J. Henry,	John W. Powell,
F. G. Cox,	Allen C. Hagan,	J. N. Price,
P. H. Duncan,	Thomas Johnson,	O. C. Richardson, sr.,
W. J. Edrington,	Wm. Kitchen,	C. W. Robbins,
J. A. Fleming,	Martin W. LaRue,	George R. Snyder,
Joshua G. Ford,	W. Jeff. Lee,	Green Sterrett,
W. H. Frederick,	William E. Minor,	Robert Sterrett,
Georgé H. Gardner,	James M. Payne,	W. J. Taylor—30.

## Those who voted for Mr. Leslie, were—

William H. Botts,	G. W. Craddock,	Bryan S. McClure,
James H. Bowden,	S. P. Douthitt,	Ben. J. Shaver,
Olando C. Bowles,	Thomas J. Drury,	A. H. Smith,
Tobias W. Burton,	J. H. Emerson,	G. W. Winns,
E. A. Coffman,	L. E. Green,	Charles H. Wood—17.
James M. Cook,	Richard P. Hocker,	

## Those who voted for Mr. Stevenson, were—

James B. Blue,	Theodore F. Hallam,	Jere. Poor,
John Ellis,	John Watts Kearny,	Samuel Russell,
James Farmer,	Robert E. Little,	Thomas H. Shanks,
William L. Grant,	Robert W. Nelson,	Ralph L. Spalding,
J. Warren Grigsby,	John B. Otten,	Albert A. Stoll—15.



Those who voted for Mr. Kelly, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culbertson,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the vote of the joint assembly, it was found to stand thus:

For Mr. Beck,	- - - - -	41 votes.
For Mr. Williams,	- - - - -	35 votes.
For Mr. Leslie,	- - - - -	25 votes.
For Mr. Stevenson,	- - - - -	19 votes.
For Mr. Kelly,	- - - - -	15 votes.
Whole number of votes cast, - - - - -		135

Necessary to a choice, 68.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House of the General Assembly, the Speaker of the Senate then announced that the joint assembly would now proceed to take a fourth joint ballot, which resulted as follows, viz:

In the Senate:

Those who voted for Mr. Beck, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—15.

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner—5.
Joseph Gardner,	James W. Hays,	

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	W. L. Vories,
Scott Brown,	D. H. Lindsay,	George Wright—8.
P. F. Edwards,	Joseph B. Read,	

Those who voted for Mr. Stevenson, were—

George B. Hodge,	G. W. Swoope,	Thos. W. Varnon—4.
Robert Simmons,		

Those who voted for Mr. Kelly, were—

Wm. J. Berry,	H. F. Finley,	B. W. S. Huffaker—4.
W. W. Culbertson,		

## In the House of Representatives—

## Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	T. J. Jenkins,	J. V. Owen,
Bell G. Bidwell,	Wood M. Jones,	Chas. Patterson,
Pat. Campion,	Daniel Lary,	John Preston,
James W. Chowning,	William B. Lindsay,	M. M. Sloss,
John M. Fish,	G. C. Lockhart,	D. B. Smith,
L. J. Frazee, jr.,	Lucien S. Luttrell,	Richard A. Spurr,
Joseph A. Gaines,	Matt. McKinney,	John A. Steele,
Thomas W. Henton,	T. J. Megibben,	L. J. Stephenson—26.
E. E. Hume,	William A. Moore,	

## Those who voted for Mr. Williams, were—

William C. Allen,	Zach. T. Heady,	George W. Pickett,
Marshall Baker,	Thomas J. Henry,	W. L. Pollard,
James D. Black,	Allen C. Hagan,	John W. Powell,
F. G. Cox,	Thomas Johnson,	J. N. Price,
P. H. Duncan,	Wm. Kitchen,	O. C. Richardson, sr.,
W. J. Edrington,	Martin W. LaRue,	C. W. Robbins,
A. J. Fleming,	W. Jeff. Lee,	George R. Snyder,
Joshua G. Ford,	William E. Minor,	Green Sterrett,
W. H. Frederick,	Thos. J. Montgomery,	Robert Sterrett,
George H. Gardner,	James M. Payne,	W. J. Taylor—31.
John D. Gardner,		

## Those who voted for Mr. Leslie, were—

William H. Botts,	G. W. Craddock,	Bryan S. McClure,
James H. Bowden,	S. P. Douthitt,	Ben. J. Shaver,
Olando C. Bowles,	Thomas J. Drury,	A. H. Smith,
Tobias W. Burton,	J. H. Emerson,	G. W. Winns,
E. A. Coffman,	L. E. Green,	Charles H. Wood—17.
James M. Cook,	Richard P. Hocker,	

## Those who voted for Mr. Stevenson, were—

James B. Blue,	Theodore F. Hallam,	Jere. Poor,
John Ellis,	John Watts Kearny,	Samuel Russell,
James Farmer,	Robert E. Little,	Thomas H. Shanks,
William L. Grant,	Robert W. Nelson,	Ralph L. Spalding,
J. Warren Grigsby,	John B. Otten,	Albert A. Stoll—15.

## Those who voted for Mr. Kelly, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culbertson,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the fourth ballot in joint assembly, it was found to stand thus :

For Mr. Beck,	- - - - -	40 votes.
For Mr. Williams,	- - - - -	35 votes.
For Mr. Leslie,	- - - - -	25 votes.
For Mr. Stevenson,	- - - - -	19 votes.
For Mr. Kelly,	- - - - -	15 votes.

Whole number of votes cast, - - - - - 136

Necessary to a choice, 69.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House of the General Assembly, the Speaker of the Senate then announced, that "if it be the pleasure of the joint assembly, they would now proceed to take the fifth joint ballot."

Mr. Representative Nelson then moved that the joint assembly do now dissolve.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Nelson and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Marshall Baker,	W. G. Hunter,
Wm. J. Berry,	James B. Blue,	T. J. Jenkins,
F. L. Cleveland,	James H. Bowden,	John Watts Kearny,
W. W. Culbertson,	Pat. Campion,	Wm. Kitchen,
P. F. Edwards,	James M. Cook,	Martin W. LaRue,
Andrew J. Ewing,	K. R. Culbertson,	Daniel Lary,
H. F. Finley,	Thomas J. Drury,	Robert E. Little,
James B. Garnett,	Rufus Emmons,	Thos. J. Montgomery,
Duncan Harding,	James Farmer,	Robert W. Nelson,
George B. Hodge,	W. H. Frederick,	Samuel R. Overstreet,
P. A. Lyon,	William L. Grant,	Samuel Russell,
Joseph B. Read,	Theodore F. Hallam,	Thomas H. Shanks,
H. A. Tyler,	Allen C. Hagan,	Albert A. Stoll,
George Wright,	E. E. Hume,	G. W. Winns—42.

Those who voted in the negative, were—

Pollock Barbour,	James W. Chowning,	T. J. Megibben,
James Blackburn,	E. A. Coffman,	William E. Minor,
Robert A. Briggs,	F. G. Cox,	William A. Moore,
Scott Brown,	G. W. Craddock,	John B. Otten,
W. A. Cunningham,	S. P. Douthitt,	J. V. Owen,
Joseph Gardner,	P. H. Duncan,	Chas. Patterson,

James W. Hays,	W. J. Edrington,	James M. Payne,
R. G. Hays,	John Ellis,	George W. Pickett,
B. W. S. Huffaker,	J. H. Emerson,	W. L. Pollard,
John Hyden,	John M. Fish,	Jere. Poor,
S. H. Jenkins,	A. J. Fleming,	John W. Powell,
J. R. Leslie,	Joshua G. Ford,	John Preston,
D. H. Lindsay,	L. J. Frazee, jr.,	J. N. Price,
R. B. Lovel,	Joseph A. Gaines,	David Pryse,
Sumner Marble,	George H. Gardner,	O. C. Richardson, sr.,
C. N. Pendleton,	John D. Gardner,	Ben. J. Shaver,
Robert Simmons,	L. E. Green,	M. M. Sloss,
J. H. Stanley,	J. Warren Grigsby,	A. H. Smith,
G. W. Swoope,	Robert E. Grinstead,	D. B. Smith,
E. W. Turner,	Zach. T. Head,	George R. Snyder,
Thos. W. Varnon,	Thomas J. Henry,	Ralph L. Spalding,
W. L. Vories,	Thomas W. Henton,	Richard A. Spurr,
Mr. Speaker (Stone),	Richard P. Hocker,	John A. Steele,
William C. Allen,	Thomas Johnson,	L. J. Stephenson,
William Berkele,	Wood M. Jones,	Green Sterrett,
Bell G. Bidwell,	W. Jeff. Lee,	Robert Sterrett,
James D. Black,	William B. Lindsay,	Richard P. Stoll,
William H. Botts,	G. C. Lockhart,	W. J. Taylor,
Orlando C. Bowles,	Lucien S. Luttrell,	E. B. Treadway,
H. H. Brinkley,	Bryan S. McClure,	Charles H. Wood—91.
Tobias W. Burton,		

The joint assembly then proceeded to take the fifth joint ballot, which stood thus:

In the Senate—

Those who voted for Mr. Beck, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—15.

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner—5.
Joseph Gardner,	James W. Hays,	

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	W. L. Vories,
Scott Brown,	D. H. Lindsay,	George Wright—8.
P. F. Edwards,	Joseph B. Read,	

Those who voted for Mr. Stevenson, were—

George. B. Hodge,	G. W. Swoope,	Thos. W. Varnon—4.
Robert Simmons,		



Those who voted for Mr. Kelly, were—

W. J. Berry,	H. F. Finley,	B. W. S. Huffaker—4.
W. W. Culbertson,		

In the House of Representatives—

Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	T. J. Jenkins,	J. V. Owen,
Bell G. Bidwell,	Wood M. Jones,	Chas. Patterson,
Pat. Campion,	Daniel Lary,	John Preston,
James W. Chowning,	William B. Lindsay,	M. M. Sloss,
John M. Fish,	G. C. Lockhart,	D. B. Smith,
L. J. Frazee, jr.,	Lucien S. Luttrell,	Richard A. Spurr,
Joseph A. Gaines,	T. J. Megibben,	John A. Steele,
Thomas W. Henton,	William A. Moore,	L. J. Stephenson—25.
E. E. Hume,		

Those who voted for Mr. Williams, were—

William C. Allen,	Zach. T. Heady,	George W. Pickett,
Marshall Baker,	Thomas J. Henry,	W. L. Pollard,
James D. Black,	Allen C. Hagan,	John W. Powell,
F. G. Cox,	Thomas Johnson,	J. N. Price,
P. H. Duncan,	Wm. Kitchen,	O. C. Richardson, sr.,
W. J. Edrington,	Martin W. LaRue,	C. W. Robbins,
A. J. Fleming,	W. Jeff. Lee,	George R. Snyder,
Joshua G. Ford,	Wm. E. Minor,	Green Sterrett,
W. H. Frederick,	Thos. J. Montgomery,	Robert Sterrett,
George H. Gardner,	James M. Payne,	W. J. Taylor—31.
John D. Gardner,		

Those who voted for Mr. Leslie, were—

William H. Botts,	G. W. Craddock,	Bryan S. McClure,
James H. Bowden,	S. P. Douthitt,	Ben. J. Shaver,
Orlando C. Bowles,	Thomas J. Drury,	A. H. Smith,
Tobias W. Burton,	J. H. Emerson,	G. W. Winns,
E. A. Coffman,	L. E. Green,	Charles H. Wood—17.
James M. Cook,	Richard P. Hocker,	

Those who voted for Mr. Stevenson, were—

James B. Blue,	Theodore F. Hallam,	Jere Poor,
John Ellis,	John Watts Kearny,	Samuel Russell,
James Farmer,	Robert E. Little,	Thomas H. Shanks,
William L. Grant,	Robert W. Nelson,	Ralph L. Spalding,
J. Warren Grigsby,	John B. Otten,	Albert A. Stoll—15.

Those who voted for Mr. Kelly, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culbertson,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the vote of the two Houses, it stood thus :

For Mr. Beck, -	-	-	-	-	-	-	-	-	40 votes.
For Mr. Williams,	-	-	-	-	-	-	-	-	36 votes.
For Mr. Leslie,	-	-	-	-	-	-	-	-	25 votes.
For Mr. Stevenson,	-	-	-	-	-	-	-	-	19 votes.
For Mr. Kelly, -	-	-	-	-	-	-	-	-	15 votes.

Whole number of votes cast,	-	-	-	-	-	-	-	-	135	<del>135</del>
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Necessary to a choice, 68.

It appearing that no one had received a majority of all the votes cast, and of all the members elected to each House, the Speaker, on motion, which was decided affirmatively, announced that the joint assembly was now dissolved, to convene again to-morrow at 12 o'clock, M.

The Senators then repaired to the Senate Chamber, and, on motion, the Senate adjourned.

#### FRIDAY, JANUARY 14, 1876.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act for the benefit of the children of Joseph Ross, deceased.

That they had passed bills of the following titles, viz :

1. An act to repeal an act, entitled, "An act for the benefit of the county judge of Henry county," approved March the 27th, 1872.

2. An act to regulate the time of holding justices' courts in the cities of Newport and Covington, and in the county of Jefferson, outside city limits of Louisville.

3. An act to amend an act, entitled "An act to authorize the Christian county court to issue bonds for the purpose of building a court-house, and to establish a sinking fund to liquidate the payment of said bonds," approved February 13th, 1867.

4. An act to legalize the acts of the Meade county court.
5. An act for the benefit of common schools in Paducah.
6. An act to amend section 8 of article 7 of chapter 18 of General Statutes.
7. An act for the benefit of Lawrence R. Steffey, of Barren county.
8. An act to amend section 2, article 1, chapter 28, of the General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, and 4th to the Committee on Courts of Justice; the 5th and 7th to the Committee on Education, and the 6th and 8th to the Committee on General Statutes and Codes of Practice.

The following petitions were presented, viz :

By Mr. J. W. Hays—

1. The petition of the Hardin county court, asking the passage of a law to enable the county court to sell her stock in the Louisville and Nashville Railroad Company.

By Mr. Culbertson—

2. The petition of W. W. Montague, asking the passage of an act for his benefit.

By Mr. Barbour—

3. The petition of W. P. Smith, asking for the passage of an act for his benefit.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary; the 2d to the Committee on Propositions and Grievances, and the 3d to the Committee on Claims.

Leave was given to bring in the following bills, viz :

On motion of Mr. Stanley—

1. A bill to amend an act, entitled "An act to incorporate Jerusalem Lodge, No. 9, Ancient York Masons, of Henderson," approved January 9, 1868.

On motion of same—

2. A bill for the benefit of J. M. Johnson, late sheriff of Henderson county.

On motion of same—

3. A bill to fix the terms and regulate the jurisdiction and proceedings of the Henderson court of common pleas.

On motion of same—

4. A bill to limit the jurisdiction and terms of the Henderson circuit court.

On motion of Mr. Swoope—

5. A bill to amend section 1st, article 4th, of chapter 28 of the General Statutes. Proposes to deny to circuit and common pleas courts original jurisdiction when the matter in controversy is of value less than \$100.

On motion of Mr. Cleveland—

6. A bill to incorporate the United Baptist Church in Brooksville, Bracken county.

On motion of same—

7. A bill for the benefit of Leonard Weitmeir, of Bracken county.

On motion of Mr. Lovel—

8. A bill for the benefit of Madison Thomas, committee of Harry P. Thomas.

On motion of Mr. Pendleton—

9. A bill relating to the Christian County and Clarksville Turnpike Company.

On motion of Mr. Ewing—

10. A bill to amend an act, entitled "An act for the benefit of the Slate Union or Salt Well Church, in Bath county, approved March 8, 1871."

On motion of Mr. Barbour—

11. A bill for the benefit of W. P. Smith, of Jefferson county.

On motion of Mr. Leslie—

12. A bill to amend section 1, article 7, chapter 18, General Statutes.

On motion of same—

13. A bill to amend section 15, article 5, chapter 18, General Statutes.

On motion of Mr. Culbertson—

14. A bill for the benefit of the trustees of the town of Catlettsburg.

On motion of Mr. Simmons—

15. A bill to amend the charter of the Decourcey Station, Taylor Road, and Bank Lick Short Line Turnpike Company.

On motion of Mr. Gardner—

16. A bill to amend an act, entitled "An act for the benefit of A. C. Bowman, late sheriff of Breathitt county, and his sureties," approved March 5th, 1873.



On motion of Mr. Edwards—

17. A bill for the benefit of F. M. Waesley, sheriff of Edmonson county.

*Ordered*, That the Committee on Religion and Morals prepare and bring in the 1st; the Committee on Finance the 2d, 8th, and 16th; the Committee on the Judiciary the 3d and 4th; the Committee on General Statutes and Codes of Practice the 5th, 6th, 12th, and 13th; the Committee on Claims the 7th; the Committee on Education the 10th, and the Committee on Propositions and Grievances the 11th, 14th, and 17th.

Mr. Lyon, from the Committee on Enrollments, reported that the Committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to change the time of holding circuit courts in the 15th judicial district;

An act to cause the revenue and county levy of Clay county to be collected for the years 1875 and 1876;

An act for the benefit of the sureties of John G. Samuels, late sheriff of Nelson county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

The Senate took up for consideration

A resolution in relation to the death of Hon. John L. Helm.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,

P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—32.
James B. Garnett,	Sumner Marble,	

In the negative—none.

*Resolved*, That the title of said resolution be amended so as to read,

Resolution authorizing the erection of a monument over the grave of the Hon. John L. Helm, formerly Governor of this Commonwealth.

On motion of Mr. Huffaker, leave of absence, indefinitely, was granted Mr. Finley.

The Senate, according to order, took up for consideration

A resolution directing our Senators and requesting our Representatives in Congress to vote in aid of the Texas Pacific Railroad.

On motion of Mr. Barker,

*Ordered*, That the further consideration of said resolution be postponed, and made the special order of the day for Saturday, January 22d, at 11 o'clock, A. M.

Mr. Turner moved the following resolution, viz :

*Resolved*, That D. D. Sublett, Sergeant-at-Arms of the Senate, be authorized to appoint one additional page for the Senate.

Mr. Wright moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Sumner Marble,	George Wright—4.
B. W. S. Huffaker,		

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories—29.
Joseph Gardner,	P. A. Lyon,	

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
P. F. Edwards,	P. A. Lyon,	W. L. Vories—31.
Andrew J. Ewing,		

In the negative—George Wright—1.

The Senate took up for consideration the resolution heretofore proposed by Mr. Barker.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be requested to furnish this General Assembly an estimate of the population of this Commonwealth, and the statistics upon which this estimate is based.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration

A bill to amend article 12 of chapter 33 of General Statutes, entitled "Elections."

On motion of Mr. J. W. Hays,

*Ordered,* That the further consideration of said bill be postponed, and made the special order of the day, to be considered in Committee of the Whole, on Tuesday next, the 18th inst., at 11 o'clock, A. M.

The Senate took up for consideration bills of the following titles, viz :

A bill to repeal chapter 579 of the acts of 1873-'4.

A bill to incorporate Confidence Lodge, No. 46, Independent Order of Odd Fellows, of Augusta, Bracken county.

Which bills were severally read a second time.

*Ordered,* That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved,* That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the St. Bonifacius Roman Catholic Men's Society of Paducah,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Lyon, from the Committee on Railroads—

A bill to amend the charter of the Maysville and Lexington Railroad, Southern Division.

By Mr. Berry, from the Committee on Religion and Morals—

A bill to incorporate Hartford Lodge No. 158, Independent Order of Odd Fellows, at Hartford, Ohio county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the first named bill was ordered to be printed and placed in the orders of the day, and the last was ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration

A bill to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways."

*Ordered*, That said bill be committed to the Committee on General Statutes.

The Senate took up for consideration bills of the following titles, viz :

A bill to place the office of Adjutant General on a peace footing, and fix the salary.

A bill to repeal section 4, article 29, chapter 29, of General Statutes.



Which bills were severally read a second time, and the first named bill was ordered to be recommitted to the Committee on Military Affairs.

The Senate took up for consideration bills of the following titles, viz :

A bill to authorize the justices of the peace in the 1st, 2d, and 3d magisterial districts of Newport to hold daily sessions and hear civil causes.

A bill to repeal article four of chapter fifty-five of the General Statutes.

A bill to amend section 16, article 13, chapter 38, of the General Statutes.

Which bills were severally read the second time.

*Ordered*, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills was then dispensed with.

The hour of 12 o'clock, M., having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, in pursuance of adjournment of the joint session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to succeed the Hon. John W. Stevenson, whose term of office expires March 4th, 1877.

The Speaker of the Senate, at the time designated, took the chair, and called the joint assembly to order.

The Clerks of the respective Houses then read the proceedings of yesterday.

Mr. Varnon then withdrew the name of Mr. Stevenson.

Mr. Hunter withdrew the name of Mr. Kelly.

Mr. Culbertson then nominated the Hon. W. H. Wadsworth as a suitable person to fill the office of United States Senator.

The Speaker then announced that the clerks would now proceed to take the sixth joint vote.

And the vote being taken, stood thus :

In the Senate :

Those who voted for Mr. Beck, were—

Pollock Barbour,	R. G. Hays,	P. A. Lyon,
James Blackburn,	George B. Hodge,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,

W. A. Cunningham, R. B. Lovel, H. A. Tyler—16.  
James B. Garnett,

Those who voted for Mr. Williams, were—

Andrew J. Ewing, James W. Hays, E. W. Turner,  
Joseph Gardner, G. W. Swoope, Thos. W. Varnon—7.  
Duncan Harding,

Those who voted for Mr. Leslie, were—

Thos. J. Barker, J. R. Leslie, Robert Simmons,  
Scott Brown, D. H. Lindsay, W. L. Vories,  
P. F. Edwards, Joseph B. Read, George Wright—9.

Those who voted for Mr. Wadsworth, were—

Wm. J. Berry, W. W. Culbertson, B. W. S. Huffaker—3.

In the House of Representatives—

Those who voted for Mr. Beck, were—

Mr. Speaker (Stone), E. E. Hume, J. V. Owen,  
Bell G. Bidwell, T. J. Jenkins, Chas. Patterson,  
James B. Blue, Wood M. Jones, Jere. Poor,  
Pat. Campion, Daniel Lary, John Preston,  
James W. Chowning, William B. Lindsay, Thomas H. Shanks,  
John Ellis, G. C. Lockhart, M. M. Sloss,  
John M. Fish, Lucien S. Luttrell, D. B. Smith,  
L. J. Frazee, jr., T. J. Megibben, Richard A. Spurr,  
Joseph A. Gaines, William A. Moore, John A. Steele,  
J. Warren Grigsby, John B. Otten, L. J. Stephenson—31.  
Thomas W. Henton,

Those who voted for Mr. Williams, were—

William C. Allen, Theodore F. Hallam, James M. Payne,  
Marshall Baker, Zach. T. Heady, George W. Pickett,  
James D. Black, Thomas J. Henry, W. L. Pollard,  
F. G. Cox, Allen C. Hagan, John W. Powell,  
P. H. Duncan, Thomas Johnson, J. N. Price,  
W. J. Edrington, John Watts Kearny, O. C. Richardson, sr.,  
James Farmer, Wm. Kitchen, C. W. Robbins,  
A. J. Fleming, Martin W. LaRue, George R. Snyder,  
Joshua G. Ford, W. Jeff. Lee, Ralph L. Spalding,  
W. H. Frederick, Robert E. Little, Green Sterrett,  
George H. Gardner, William E. Minor, Robert Sterrett,  
John D. Gardner, Thos. J. Montgomery, W. J. Taylor—38.  
William L. Grant, Robert W. Nelson,

Those who voted for Mr. Leslie, were—

William H. Botts, S. P. Douthitt, Samuel Russell,  
James H. Bowden, Thomas J. Drury, Ben. J. Shaver,  
Olando C. Bowles, J. H. Emerson, A. H. Smith,  
Tobias W. Burton, L. E. Green, Albert A. Stoll,  
E. A. Coffman, Richard P. Hocker, G. W. Winns,

James M. Cook, Bryan S. McClure, Charles H. Wood—19.  
G. W. Craddock,

Those who voted for Mr. Wadsworth, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culbertson,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the vote of the joint assembly, it was found to stand thus :

For Mr. Beck,	- - - - -	47 votes.
For Mr. Williams,	- - - - -	45 votes.
For Mr. Leslie,	- - - - -	28 votes.
For Mr. Wadsworth,	- - - - -	14 votes.

Whole number of votes cast, - - - - - 134

Necessary to a choice, 68.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House of the General Assembly, the Speaker of the Senate then announced, that "if it be the pleasure of the joint assembly, they would now proceed to take the seventh joint vote."

Mr. Barker moved that the joint assembly do now dissolve, to convene again to-morrow at 12 o'clock, M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barker and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	W. L. Vories,	T. J. Jenkins,
James Blackburn,	William Berkele,	Wood M. Jones,
Robert A. Briggs,	James B. Blue,	Daniel Lary,
Scott Brown,	William H. Botts,	William B. Lindsay,
F. L. Cleveland,	James H. Bowden,	G. C. Lockhart,
W. W. Culbertson,	James W. Chowning,	Lucien S. Luttrell,
W. A. Cunningham,	G. W. Craddock,	T. J. Megibben,
P. F. Edwards,	S. P. Douthitt,	Thos. J. Montgomery,
James B. Garnett,	Thomas J. Drury,	William A. Moore,
George B. Hodge,	John Ellis,	Robert W. Nelson,
John Hyden,	Rufus Emmons,	John B. Otten,
S. H. Jenkins,	James Farmer,	Chas. Patterson,
J. R. Leslie,	L. J. Frazee, jr.,	Jere. Poor,
R. B. Lovel,	W. H. Frederick,	John Preston,
P. A. Lyon,	Joseph A. Gaines,	Samuel Russell,

C. N. Pendleton, Thomas W. Henton, Richard A. Spurr—50.  
Joseph B. Read, E. E. Hume,

Those who voted in the negative, were—

Pollock Barbour,	F. G. Cox,	Samuel R. Overstreet,
Wm. J. Berry,	K. R. Culbertson,	J. V. Owen,
Andrew J. Ewing,	P. H. Duncan,	James M. Payne,
Joseph Gardner,	W. J. Edrington,	George W. Pickett,
Duncan Harding,	J. H. Emerson,	W. L. Pollard,
James W. Hays,	John Feland,	John W. Powell,
R. G. Hays,	John M. Fish,	J. N. Price,
B. W. S. Huffaker,	A. J. Fleming,	David Pryse,
D. H. Lindsay,	George H. Gardner,	O. C. Richardson, sr ,
Sumner Marble,	John D. Gardner,	C. W. Robbins,
Robert Simmons,	William L. Grant,	Thomas H. Shanks,
J. H. Stanley,	L. E. Green,	Ben. J. Shaver,
G. W. Swoope,	J. Warren Grigsby,	M. M. Sloss,
E. W. Turner,	Robert E. Grinstead,	A. H. Smith,
H. A. Tyler,	Theodore F. Hallam,	D. B. Smith,
Thos. W. Varnon,	Zach. T. Heady,	George R. Snyder,
George Wright,	Thomas J. Henry,	Ralph L. Spalding,
Mr. Speaker (Stone),	Allen C. Hagan,	John A. Steele,
William C. Allen,	Richard P. Hocker,	L. J. Stephenson,
Marshall Baker,	W. G. Hunter,	Green Sterrett,
Bell G. Bidwell,	Thomas Johnson,	Robert Sterrett,
James D. Black,	John Watts Kearny,	Albert A. Stoll,
Orlando C. Bowles,	Wm. Kitchen,	Richard P. Stoll,
H. H. Brinkley,	Martin W. LaRue,	W. J. Taylor,
Tobias W. Burton,	W. Jeff. Lee,	E. B. Treadway,
Pat. Campion,	Robert E. Little,	G. W. Winns,
E. A. Coffman,	Bryan S. McClure,	Charles H. Wood—83.
James M. Cook,	William E. Minor,	

The Speaker then announced that the joint assembly would now proceed to take the seventh joint vote.

And the vote being taken, stood thus, viz :

In the Senate—

Those who voted for Mr. Beck, were—

Pollock Barbour,	R. G. Hays,	P. A. Lyon,
James Blackburn,	George. B. Hodge,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—16.
James B. Garnett,		

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	James W. Hays,	E. W. Turner,
Joseph Gardner,	G. W. Swoope,	Thos. W. Varnon—7.
Duncan Harding,		



Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	Robert Simmons,
Scott Brown,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	Joseph B. Read,	George Wright—9.

Those who voted for Mr. Wadsworth, were—

W. J. Berry,	W. W. Culbertson,	B. W. S. Huffaker—3.
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In the House of Representatives—

Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	E. E. Hume,	J. V. Owen,
Bell G. Bidwell,	T. J. Jenkins,	Chas. Patterson,
James B. Blue,	Wood M. Jones,	Jere Poor,
Pat. Campion,	Daniel Lary,	John Preston,
James W. Chowning,	William B. Lindsay,	Thomas H. Shanks,
John Ellis,	G. C. Lockhart,	M. M. Sloss,
John M. Fish,	Lucien S. Luttrell,	D. B. Smith,
L. J. Frazee, jr.,	T. J. Megibben,	Richard A. Spurr,
Joseph A. Gaines,	William A. Moore,	John A. Steele,
J. Warren Grigsby,	John B. Otten,	L. J. Stephenson—31.
Thomas W. Henton,		

Those who voted for Mr. Williams, were—

William C. Allen,	Theodore F. Hallam,	James M. Payne,
Marshall Baker,	Zach. T. Heady,	George W. Pickett,
James D. Black,	Thomas J. Henry,	W. L. Pollard,
F. G. Cox,	Allen C. Hagan,	John W. Powell,
P. H. Duncan,	Thomas Johnson,	J. N. Price,
W. J. Edrington,	John Watts Kearny,	O. C. Richardson, sr.,
James Farmer,	Wm. Kitchen,	C. W. Robbins,
A. J. Fleming,	Martin W. LaRue,	George R. Snyder,
Joshua G. Ford,	W. Jeff. Lee,	Ralph L. Spalding,
W. H. Frederick,	Robert E. Little,	Green Sterrett,
George H. Gardner,	Wm. E. Minor,	Robert Sterrett,
John D. Gardner,	Thos. J. Montgomery,	W. J. Taylor—38.
William L. Grant,	Robert W. Nelson,	

Those who voted for Mr. Leslie, were—

William H. Botts,	S. P. Douthitt,	Samuel Russell,
James H. Bowden,	Thomas J. Drury,	Ben. J. Shaver,
Orlando C. Bowles,	J. H. Emerson,	A. H. Smith,
Tobias W. Burton,	L. E. Green,	Albert A. Stoll,
E. A. Coffman,	Richard P. Hocker,	G. W. Winns,
James M. Cook,	Bryan S. McClure,	Charles H. Wood—19.
G. W. Craddock,		

Those who voted for Mr. Wadsworth, were—

William Berkele,	John Feland,	David Pryse,
H. H. Brinkley,	Robert E. Grinstead,	Richard P. Stoll,
K. R. Culberston,	W. G. Hunter,	E. B. Treadway—11.
Rufus Emmons,	Samuel R. Overstreet,	

In summing up the vote of the joint assembly, it stood thus :

For Mr. Beck, - - - - -	47 votes.
For Mr. Williams, - - - - -	45 votes.
For Mr. Leslie, - - - - -	28 votes.
For Mr. Wadsworth, - - - - -	14 votes.

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Whole number of votes cast, - - - - - 134

Necessary to a choice, 68.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House of the General Assembly, the Speaker of the Senate then announced "that if it be the pleasure of the joint assembly, they would now proceed to take another vote."

Mr. Representative Nelson then moved that the joint assembly do now dissolve, to convene again to-morrow at 12 o'clock, M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Representatives Snyder and Little, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James H. Bowden,	Wm. Kitchen,
Thos. J. Barker,	Tobias W. Burton,	Daniel Lary,
Wm. J. Berry,	Pat. Campion,	William B. Lindsay,
James Blackburn,	James W. Chowning,	G. C. Lockhart,
Robert A. Briggs,	E. A. Coffman,	T. J. Megibben,
Scott Brown,	James M. Cook,	William E. Minor,
F. L. Cleveland,	F. G. Cox,	Thos. J. Montgomery,
W. W. Culbertson,	G. W. Craddock,	William A. Moore,
W. A. Cunningham,	K. R. Culberston,	John B. Otten,
P. F. Edwards,	S. P. Douthitt,	Samuel R. Overstreet,
Andrew J. Ewing,	Thomas J. Drury,	Chas. Patterson,
Joseph Gardner,	W. J. Edrington,	George W. Pickett,
James B. Garnett,	Rufus Emmons,	W. L. Pollard,
Duncan Harding,	James Farmer,	Jere. Poor,
George B. Hodge,	John Feland,	John Preston,
John Hyden,	Joshua G. Ford,	J. N. Price,
S. H. Jenkins,	L. J. Frazee, jr.,	David Pryse,
J. R. Leslie,	W. H. Frederick,	C. W. Robbins,
R. B. Lovel,	Joseph A. Gaines,	Samuel Russell,
Sumner Marble,	George H. Gardner,	Thomas H. Shanks,
C. N. Pendleton,	John D. Gardner,	Ben. J. Shaver,
Joseph B. Read,	L. E. Green,	M. M. Sloss,
J. H. Stanley,	Robert E. Grinstead,	D. B. Smith,
G. W. Swoope,	Zach. T. Heady,	Ralph L. Spalding,
H. A. Tyler,	Thomas W. Henton,	Richard A. Spurr,

W. L. Vories,	Allen C. Hagan,	L. J. Stephenson,
Mr. Speaker (Stone),	Richard P. Hocker,	Green Sterrett,
Marshall Baker,	E. E. Hume,	Albert A. Stoll,
William Berkele,	W. G. Hunter,	Richard P. Stoll,
Bell G. Bidwell,	T. J. Jenkins,	E. B. Treadway,
James B. Blue,	Wood M. Jones,	G. W. Winns—94.
William H. Botts,		

Those who voted in the negative, were—

James W. Hays,	P. H. Duncan,	Robert E. Little,
R. G. Hays,	John Ellis,	Lucien S. Luttrell,
B. W. S. Huffaker,	J. H. Emerson,	Bryan S. McClure,
D. H. Lindsay,	John M. Fish,	J. V. Owen,
P. A. Lyon,	A. J. Fleming,	John W. Powell,
Robert Simmons,	William L. Grant,	O. C. Richardson, sr.,
E. W. Turner,	J. Warren Grigsby,	A. H. Smith,
Thos. W. Varnon,	Theodore F. Hallam,	George R. Snyder,
George Wright,	Thomas J. Henry,	John A. Steele,
William C. Allen,	Thomas Johnson,	Robert Sterrett,
James D. Black,	John Watts Kearny,	W. J. Taylor,
Orlando C. Bowles,	Martin W. LaRue,	Charles H. Wood—38.
H. H. Brinkley,	W. Jeff. Lee,	

The Senators then repaired to the Senate Chamber, and, on motion, the Senate adjourned.

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### SATURDAY, JANUARY 15, 1876.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls, of the counties of Washington, Ballard, Madison, Bracken, Pendleton, and Grant,

With an amendment thereto.

That they had passed bills and adopted a resolution of the following titles, viz :

1. An act to amend the charter of the White Oak Turnpike Road Company, in Bath county.

2. An act for the benefit of John Coleman, of Pike county.

3. An act to amend an act incorporating the Kiddville Turnpike Company.

4. Resolution to pay officers and attaches of the General Assembly their per diem.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on Internal Improvement; the 2d to the Committee on Propositions and Grievances, and the 4th, the resolution, to the Committee on Claims.

The following petition was presented, viz :

By Mr. Ewing—

The petition of sundry citizens of Bath county, praying the passage of an act for the benefit of common school district No. 39, in said county.

Which was received, the reading dispensed with, and referred to the Committee on Education.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz :

An act to cause the revenue and county levy of Clay county to be collected for the years 1875 and 1876.

An act to change the time of holding circuit courts in the 15th judicial district.

An act for the benefit of the sureties of John G. Samuels, late sheriff of Nelson county.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the Senate, entitled

An act for the benefit of the children of Joseph Ross, deceased;  
And had found the same truly enrolled.

Said bill having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.



Mr. R. G. Hays asked that a committee be appointed to withdraw from the House of Representatives the announcement of their passage of a bill, which originated in the Senate, entitled

An act for the benefit of Thomas Shanks, sheriff of the county of Jefferson.

Which was granted, and Messrs. R. G. Hays, Barker, and Simmons were appointed said committee.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Briggs, from the Committee on Claims—

A bill for the benefit of James Wilson, of Bell county.

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill for the benefit of constables of Jefferson county.

By Mr. Barbour, from the Committee on Banks and Insurance—

A bill to amend chapter sixty of the General Statutes, entitled "Interest and Usury."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last named bill was ordered to be printed and placed in the orders of the day, and the others were severally ordered to be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Falmouth Deposit Bank.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to regulate the time of holding justices' courts in the cities of Newport and Covington, and in the county of Jefferson, outside city limits of Louisville.

By same—

An act to amend an act, entitled "An act to authorize the Christian county court to issue bonds for the purpose of building a courthouse, and to establish a sinking fund to liquidate the payment of said bonds," approved February 13th, 1867.

By Mr. Leslie, from the Committee on Courts of Justice—

An act to change the time of holding the court of claims of Meade county.

By Mr. Edwards, from the Committee on Courts of Justice—

An act to continue in force an act, entitled "An act for the benefit of the administrators of William Simpson, late clerk of the Wayne circuit and county courts."

By same—

An act to repeal an act, entitled "An act for the benefit of the county judge of Henry county," approved March 27th, 1872.

*Ordered*, That said bills be read a third time.

The constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barbour, from the Committee on Banks and Insurance—

An act for the benefit of Wells, Mitchell & Co.

By Mr. Leslie, from the Committee on Courts of Justice—

An act to change the time of holding justices' courts in Washington county.

Which bills were severally read the third time.

The Senate, according to order, took up for consideration

A bill to amend chapter 7 of the General Statutes, title "Bastardy."

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section three, chapter seven, of the General Statutes, title "Bastardy," is hereby amended by striking out the following words, viz : "And to perform the judgment of said court."

§ 2. Section ten of said chapter is hereby amended by striking out the following words, viz : "Who has failed to execute bond before judgment."

§ 3. The following shall be the forms of the bonds mentioned in said chapter, which may be varied to suit each case : A B, being in custody on a charge of bastardy, and being permitted to give bail in the sum of ——— dollars, we (or I, as the case may be) do hereby undertake that the said A B will appear in the ——— county court on the first day of its next term to answer said charge, and will at all times render himself amenable to the orders and process of said court in the prosecution of said charge ; and, if convicted, will render himself in execution thereof ; or, if he fail to perform either of these

conditions, that we will pay to the Commonwealth of Kentucky ———dollars.

Witness our hands this — day of ———.

We, A B, principal, and C D, surety, undertake that we will pay to the Commonwealth of Kentucky, on the — day of ———, the sum of ——— dollars, and the like sum (monthly, quarterly, or half-yearly) thereafter until the — day of ———, for the support of a bastard child of which the said A B has been adjudged to be the father and ——— is the mother.

Witness our hands this — day of ———.

§ 4. So much of said chapter as is inconsistent with this act is hereby repealed.

§ 5. This act shall be in force from its passage.

Mr. Cleveland, from the Committee on Appropriations, reported  
A bill for the benefit of L. J. Wise, jailer of Ohio county.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was then read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer in favor of L. J. Wise for ninety-five dollars, to be paid out of any money in the Treasury not otherwise appropriated, that being a part of the amount paid by the said Wise, out of his own means, for the arrest of a desperate felon who made his escape from the Ohio county jail.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garnett and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	P. F. Edwards,	Joseph B. Read,
Wm. J. Berry,	Joseph Gardner,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories—22.
W. A. Cunningham,		

Those who voted in the negative, were—

Pollock Barbour,	George B. Hodge,	P. A. Lyon,
Andrew J. Ewing,	B. W. S. Huffaker,	Sumner Marble,

James B. Garnett,      S. H. Jenkins,      H. A. Tyler,  
Duncan Harding,      J. R. Leslie,      George Wright—12.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Briggs, from the Committee on Claims, reported

A bill for the benefit of Francis Adwell.

Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$355 for the use and benefit of Francis Adwell, for the keeping of a pauper idiot, by the name of Eliza Miller, from the 24th day of October, 1868, until the 13th day of April, 1875, and that the Auditor of Public Accounts is hereby directed to draw his warrant upon the Treasurer of this Commonwealth for the said sum of three hundred and fifty-five dollars in favor of the said Francis Adwell.

§ 2. This act to be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	G. W. Swoope,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—35.
Joseph Gardner,	P. A. Lyon,	

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Read, from the Committee on Education, reported

A bill to amend chapter 1544, entitled "An act to amend Green River Female College," approved February 20, 1869.



Which was read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bill being dispensed with, sundry amendments were proposed to said bill.

Pending the consideration of which, the hour having arrived for the execution of the joint order of the day, the election of a Senator in the Congress of the United States, further action thereon was cut off.

The hour of 12 o'clock, M., having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, in pursuance of adjournment of the joint session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to succeed the Hon. John W. Stevenson, whose term of office expires March 4th, 1877.

The Speaker of the Senate, at the time designated, took the chair, and called the joint assembly to order.

The Clerks of the respective Houses then read the proceedings of yesterday.

The roll of the two Houses was then called, and the following Senators and Representatives responded :

Pollock Barbour,	Orlando C. Bowles,	W. Jeff. Lee,
Thos. J. Barker,	H. H. Brinkley,	William B. Lindsay,
Wm. J. Berry,	Tobias W. Burton,	Robert E. Little,
James Blackburn,	Pat. Campion,	G. C. Lockhart,
Robert A. Briggs,	James W. Chowning,	Lucien S. Luttrell,
Scott Brown,	E. A. Coffman,	Bryan S. McClure,
F. L. Cleveland,	James M. Cook,	Matt. McKinney,
W. W. Culbertson,	F. G. Cox,	T. J. Megibben,
W. A. Cunningham,	G. W. Craddock,	William E. Minor,
P. F. Edwards,	K. R. Culbertson,	Thos. J. Montgomery,
Andrew J. Ewing,	S. P. Douthitt,	William A. Moore,
Joseph Gardner,	Thomas J. Drury,	Robert W. Nelson,
James B. Garnett,	P. H. Duncan,	John B. Otten,
Duncan Harding,	W. J. Edrington,	Samuel R. Overstreet,
James W. Hays,	John Ellis,	J. V. Owen,
R. G. Hays,	J. H. Emerson,	Chas. Patterson,
George B. Hodge,	Rufus Emmons,	James M. Payne,
B. W. S. Huffaker,	James Farmer,	George W. Pickett,
John Hyden,	John M. Fish,	W. L. Pollard,
S. H. Jenkins,	A. J. Fleming,	Jere. Poor,
J. R. Leslie,	Joshua G. Ford,	John W. Powell,
D. H. Lindsay,	L. J. Frazee, jr.,	John Preston,

R. B. Lovel,	W. H. Frederick,	J. N. Price,
P. A. Lyon,	Joseph A. Gaines,	David Pryse,
Sumner Marble,	George H. Gardner,	O. C. Richardson, sr.,
C. N. Pendleton,	John D. Gardner,	C. W. Robbins,
Joseph B. Read,	William L. Grant,	Samuel Russell,
Robert Simmons,	L. E. Green,	Thomas H. Shanks,
J. H. Stanley,	J. Warren Grigsby,	Ben. J. Shaver,
G. W. Swoope,	Robert E. Grinstead,	M. M. Sloss,
E. W. Turner,	Theodore F. Hallam,	A. H. Smith,
H. A. Tyler,	Zach. T. Heady,	D. B. Smith,
Thos. W. Varnon,	Thomas J. Henry,	George R. Snyder,
W. L. Vories,	Thomas W. Henton,	Ralph L. Spalding,
C. J. Walton,	Allen C. Hagan,	Richard A. Spurr,
George Wright,	Richard P. Hocker,	John A. Steele,
Mr. Speaker (Stone),	E. E. Hume,	L. J. Stephenson,
William C. Allen,	W. G. Hunter,	Green Sterrett,
Marshall Baker,	T. J. Jenkins,	Robert Sterrett,
William Berkele,	Thomas Johnson,	Albert A. Stoll,
Bell G. Bidwell,	Wood M. Jones,	Richard P. Stoll,
James D. Black,	John Watts Kearny,	W. J. Taylor,
James B. Blue,	Wm. Kitchen,	E. B. Treadway,
William H. Botts,	Martin W. LaRue,	G. W. Winns,
James H. Bowden,	Daniel Lary,	Charles H. Wood—135.

The names of the gentlemen voted for on yesterday still remaining in nomination, and there being no other nominations, the Speaker announced that the Clerks would now proceed to take the eighth joint vote.

And the vote being taken, stood thus :

In the Senate :

Those who voted for Mr. Beck, were—

Pollock Barbour,	R. G. Hays,	P. A. Lyon,
James Blackburn,	George B. Hodge,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—16.
James B. Garnett,		

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner,
Joseph Gardner,	G. W. Swoope,	Thos. W. Varnon—6.

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	Robert Simmons,
Scott Brown,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	Joseph B. Read,	George Wright—10.
James W. Hays,		

Those who voted for Mr. Wadsworth, were—

Wm. J. Berry,	B. W. S. Huffaker,	C. J. Walton—4.
W. W. Culbertson,		

## In the House of Representatives—

## Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	Thomas W. Henton,	John B. Otten,
Bell G. Bidwell,	E. E. Hume,	J. V. Owen,
Pat. Campion,	T. J. Jenkins,	Chas. Patterson,
James W. Chowning,	Wood M. Jones,	Jere. Poor,
John Ellis,	Daniel Lary,	John Preston,
James Farmer,	William B. Lindsay,	Thomas H. Shanks,
John M. Fish,	G. C. Lockhart,	M. M. Sloss,
Joshua G. Ford,	Lucien S. Luttrell,	D. B. Smith,
L. J. Frazee, jr.,	Matt. McKinney,	Richard A. Spurr,
Joseph A. Gaines,	T. J. Megibben,	John A. Steele,
J. Warren Grigsby,	William A. Moore,	L. J. Stephenson—33.

## Those who voted for Mr. Williams, were—

William C. Allen,	Zach. T. Heady,	James M. Payne,
Marshall Baker,	Thomas J. Henry,	George W. Pickett,
James D. Black,	Allen C. Hagan,	W. L. Pollard,
James B. Blue,	Thomas Johnson,	John W. Powell,
F. G. Cox,	John Watts Kearny,	J. N. Price,
P. H. Duncan,	Wm. Kitchen,	O. C. Richardson, sr.,
W. J. Edrington,	Martin W. LaRue,	C. W. Robbins,
A. J. Fleming,	W. Jeff. Lee,	George R. Snyder,
W. H. Frederick,	Robert E. Little,	Ralph L. Spalding,
George H. Gardner,	William E. Minor,	Green Sterrett,
John D. Gardner,	Thos. J. Montgomery,	Robert Sterrett,
William L. Grant,	Robert W. Nelson,	W. J. Taylor—37.
Theodore F. Hallam,		

## Those who voted for Mr. Leslie, were—

William H. Botts,	S. P. Douthitt,	Samuel Russell,
James H. Bowden,	Thomas J. Drury,	Ben. J. Shaver,
Olando C. Bowles,	J. H. Emerson,	A. H. Smith,
Tobias W. Burton,	L. E. Green,	Albert A. Stoll,
E. A. Coffman,	Richard P. Hocker,	G. W. Winns,
James M. Cook,	Bryan S. McClure,	Charles H. Wood—19.
G. W. Craddock,		

## Those who voted for Mr. Wadsworth, were—

William Berkele,	Robert E. Grinstead,	David Pryse,
H. H. Brinkley,	W. G. Hunter,	Richard P. Stoll,
K. R. Culbertson,	Samuel R. Overstreet,	E. B. Treadway—10.
Rufus Emmons,		

In summing up the vote of the joint assembly, it was found to stand thus:

For Mr. Beck,	- - - - -	49 votes.
For Mr. Williams,	- - - - -	43 votes.
For Mr. Leslie,	- - - - -	29 votes.
For Mr. Wadsworth,	- - - - -	14 votes.

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Whole number of votes cast,	- - - - -	135
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Necessary to a choice, 68.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House, and it being so announced by the Speaker, Mr. Albert A. Stoll moved that the joint assembly do now dissolve, to convene again to-morrow at 12 o'clock, M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The Speaker then announced that the Clerks would now proceed to take the ninth joint vote.

And the vote being taken, stood thus, viz:

In the Senate—

Those who voted for Mr. Beck, were—

Pollock Barbour,	R. G. Hays,	P. A. Lyon,
James Blackburn,	George. B. Hodge,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—16.
James B. Garnett,		

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner,
Joseph Gardner,	G. W. Swoope,	Thos. W. Varnon—6.

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	Robert Simmons,
Scott Brown,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	Joseph B. Read,	George Wright—10.
James W. Hays,		

Those who voted for Mr. Wadsworth, were—

W. J. Berry,	B. W. S. Huffaker,	C. J. Walton—4.
W. W. Culbertson,		

In the House of Representatives—

Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	E. E. Hume,	John B. Otten,
Bell G. Bidwell,	T. J. Jenkins,	J. V. Owen,
Pat. Campion,	Wood M. Jones,	Chas. Patterson,
James W. Chowning,	Daniel Lary,	Jere Poor,
John Ellis,	William B. Lindsay,	John Preston,
James Farmer,	G. C. Lockhart,	Thomas H. Shanks,
John M. Fish,	Lucien S. Luttrell,	M. M. Sloss,
Joshua G. Ford,	Mat. McKinney,	D. B. Smith,
L. J. Frazee, jr.,	T. J. Megibben,	Richard A. Spurr,
Joseph A. Gaines,	William A. Moore,	John A. Steele,
J. Warren Grigsby,	Robert W. Nelson,	L. J. Stephenson—34.
Thomas W. Henton,		

Those who voted for Mr. Williams, were—

William C. Allen,	Theodore F. Hallam,	James M. Payne,
Marshall Baker,	Zach. T. Heady,	George W. Pickett,



James D. Black,	Thomas J. Henry,	W. L. Pollard,
James B. Blue,	Allen C. Hagan,	John W. Powell,
F. G. Cox,	Thomas Johnson,	J. N. Price,
P. H. Duncan,	John Watts Kearny,	O. C. Richardson, sr.,
W. J. Edrington,	Wm. Kitchen,	C. W. Robbins,
A. J. Fleming,	Martin W. LaRue,	George R. Snyder,
W. H. Frederick,	W. Jeff. Lee,	Ralph L. Spalding,
George H. Gardner,	Robert E. Little,	Green Sterrett,
John D. Gardner,	Wm. E. Minor,	Robert Sterrett,
William L. Grant,	Thos. J. Montgomery,	W. J. Taylor—36.

Those who voted for Mr. Leslie, were—

William H. Botts,	S. P. Douthitt,	Samuel Russell,
James H. Bowden,	Thomas J. Drury,	Ben. J. Shaver,
Orlando C. Bowles,	J. H. Emerson,	A. H. Smith,
Tobias W. Burton,	L. E. Green,	Albert A. Stoll,
E. A. Coffman,	Richard P. Hocker,	G. W. Winns,
James M. Cook,	Bryan S. McClure,	Charles H. Wood—19.
G. W. Craddock,		

Those who voted for Mr. Wadsworth, were—

William Berkele,	Robert E. Grinstead,	David Pryse,
H. H. Brinkley,	W. G. Hunter,	Richard P. Stoll,
K. R. Culberston,	Samuel R. Overstreet,	E. B. Treadway—10.
Rufus Emmons,		

In summing up the vote of the joint assembly, it stood thus:

For Mr. Beck, - - - - -	50 votes.
For Mr. Williams, - - - - -	42 votes.
For Mr. Leslie, - - - - -	29 votes.
For Mr. Wadsworth, - - - - -	14 votes.

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Whole number of votes cast, - - - - -	135
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Necessary to a choice, 68.

No one in nomination having received a majority of all the votes cast and of all the members elected to each House, and it being so announced by the Speaker, Mr. Cleveland moved that the joint assembly do now dissolve, to convene again on Monday, the 17th inst., at 12 o'clock, M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The Senators then repaired to the Senate Chamber, and, on motion, the Senate adjourned.

MONDAY, JANUARY 17, 1876.

A message was received from the House of Representatives, announcing that they had passed a bill and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

A bill to incorporate Hartford Lodge, No. 158, Independent Order of Odd Fellows, at Hartford, Ohio county.

Resolution calling on the Auditor for an estimate of the population of this State.

That they had passed bills of the following titles, viz :

An act for the benefit of Joseph E. Morgan, of Clay county.

An act for the benefit of C. W. Hull, deputy jailer of Kenton county.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred to the Committee on Claims.

The following petitions were presented, viz :

By Mr. Lovel—

1. The petition of citizens of Mason county, asking for legislation in behalf of the Mutual Benefit Association of Maysville, and other similar institutions.

By Mr. Wright—

2. The petition of G. B. Woodcock, of Warren county.

By Mr. Gardner—

3. The petition of Farrish Arnett, of Magoffin county.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Banks and Insurance ; the 2d to the Committee on Charitable Institutions, and the 3d to the Committee on Finance

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Falmouth Deposit Bank ;

An act to incorporate the St. Bonifacius Roman Catholic Men's Society of Paducah ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate resumed the consideration of the unfinished report of the Committee on Education, being

A bill to amend chapter 1544, entitled "An act to amend Green River Female College," approved February 20th, 1869.

On motion of Mr. Vories,

*Ordered*, That said bill and pending amendments be committed to the Committee on Finance.

Mr. Read moved the following resolution, viz :

*Resolved*, That the Committee on the Sinking Fund be requested to report, by bill or otherwise, whether or not the tax now levied and collected for Sinking Fund purposes should be discontinued, and that they further report whether there exists any longer a necessity for the continuation of the Sinking Fund Department of this Commonwealth.

Which was adopted.

The Senate, according to order, took up for consideration

A bill to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

*Ordered*, That the further consideration of said bill be postponed and made the special order of the day for Wednesday next, the 19th inst, at 11 o'clock, A. M.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Tyler, from the Committee on Education—

A bill to incorporate Smith's Grove College, in Warren county.

By Mr. Pendleton, from the Committee on Finance—

A bill for the benefit of John M. Johnson, late sheriff of Henderson county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Simmons, from the Committee on Education, to whom was referred leave to bring in

A bill to amend section 2, article 9, chapter 18, of the General Statutes,

Asked to be discharged from the further consideration of said leave. Which was granted.

Mr. Read, from the Committee on Education, reported

A bill to incorporate the district of Cold Spring, in Campbell county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That all the territory comprising school district No. 42, bounded and described as follows, viz : Beginning at the mouth of Pool creek, on the Licking river ; thence up said creek to the Hoffman farm ; thence in a northern direction with the west line of Mrs. Trunnels' and Charles H. Horner's farms, so as to include Enoch Parsons' farm, Henry Singleton's farm, and the farms of W. C. Davis and Eli Kinney, to the line between said Kinney and Mrs. Carter's farm, on the creek, thence with said division line to the Campbell turnpike road ; thence south on said turnpike to the State road leading from the turnpike to the Ohio river ; thence with said road to Miles' mill on Three Mile creek and the line of district No. 45 ; thence with said line of district No. 45 to the Trumbower farm to the corner of school district No. 44, including the Cooper farm and the farms of Robert Maddux and Thomas Wrightson ; thence in a southerly direction to the bridge on the Campbell turnpike near the southern boundary of John C. Youtsey's farm ; thence south to Joseph H. Horner's farm, so as to include said Horner's farm and the farm of Andy J. Youtsey ; thence with said Horner's and Dye's farms to the farm of James G. Culbertson, leaving said Culbertson in school district No. 49 ; thence to the Licking river at the Grassy Flats ; thence down said river to the place of beginning, being the consolidation of school districts numbered 21 and 42, as consolidated August 13, 1869, by the school commissioner of Campbell county : said territory shall be, and is hereby, incorporated, under the name and style of Cold Spring District, and



the inhabitants thereof are created a body-politic and corporate, for purposes hereinafter mentioned.

§ 2. The government of said corporation shall be confined to a board of six trustees, to be elected as hereinafter provided, a majority of whom shall constitute a quorum for the transaction of business; they shall reside in said district, and have the qualifications of legal voters and owners of real estate within the limits of said district; their term of office shall be for two years, and until their successors are elected and qualified; but of those first elected after the passage of this act, three shall be selected, by lot, whose term of office shall expire at the end of one year, so that in all future time three members shall be chosen annually; and said board shall have power to fill all vacancies occurring in its body, and shall act without compensation.

§ 3. The persons so elected shall constitute and be styled the Board of Trustees of Cold Spring District, and by that name shall be known as a body-corporate and politic, and may, in their corporate name, sue and be sued, contract and be contracted with, buy, sell, and convey real and personal property as may be necessary for the legitimate purposes of said corporation, the title for which shall vest in said trustees and their successors as property belonging to said district only.

§ 4. The election for trustees in said district shall be held on the first Saturday in July in each year, notice of which shall be given by said trustees at least ten days previous to said election, by posting written or printed notices in five public places in said district.

§ 5. That John C. Youtsey, Charles H. Horner, Andy J. Youtsey, H. S. Clarke, Wiley Bates, and Henry Sethman, are hereby elected and appointed trustees *pro tem.*, with full power to act until the first regular election in July, 1876, and until the persons then elected are duly qualified.

§ 6. The trustees so elected shall be sworn to faithfully discharge their duties, and shall meet within one month after their election, and organize by selecting a president, who shall be one of their own number, and shall be entitled to a vote only in case of a tie; they shall also elect a clerk and treasurer, the latter of whom shall give a good and sufficient bond, conditioned for the faithful performance of his duties as prescribed by said trustees.

§ 7. Said trustees shall keep, or cause to be kept, a well-bound journal of their proceedings, and may pass such laws and regulations for the good government and police of said district as they may deem necessary, consistent with the Constitution and laws of this State and of the United States, and provide for their observance by adequate penalties, which may be enforced before a justice of the peace for said district, and shall have power to make all laws and rules for the government of themselves and appointees, and for the dispatch of business, and for the management, control, and government of the public schools in said district, their teachers and pupils.

§ 8. Said board shall appoint all teachers and other persons necessary to carry on the public schools, and prescribe all rules for their

government, and fix their compensation or salaries, and may dismiss or suspend any teacher employed by them, prescribe the branches of education to be taught in said schools not contrary to law, grade the school and classes, prescribe the necessary qualifications for teachers and pupils, and shall provide class-books for children whose parents are not able to purchase them.

§ 9. All white children, over six years of age and under twenty, shall have equal rights of admission to the schools established under this act, and no fees or charges for their tuition shall be made in any of the schools, but said trustees may establish rates and terms on which children residing out of said district may be admitted to said schools.

§ 10. Said trustees shall report to the commissioner of common schools for Campbell county as other trustees are now required to do, and shall receive their pro rata from the common school fund on all the white children in said district of the proper age, as designated by the law for admission to the public schools.

§ 11. Said trustees shall have the management of all the public roads in said district, except the chartered turnpikes passing through the same, and shall keep them in good order and repair, and for failure to do so shall be liable to the penalties denounced by law against surveyors of public highways for such dereliction, to be enforced in like manner, and they shall be entitled to receive their just proportion of the Campbell county road tax for such road purposes, and shall be empowered to call out all able-bodied citizens of said district, as now defined, to work on the public highway. Said persons so called out to work upon said roads shall be subject to the same fines and penalties for refusal to work, when so ordered, as the law of the Commonwealth now assesses for such refusal, said fines to be collectable before a magistrate in said district, and applied to the improvement of the roads in said district when collected.

§ 12. Said trustees may condemn, as provided under the common school law, any property in said district for the purpose of occupying the same for school purposes.

§ 13. Said trustees shall submit to the qualified voters in said district the question of levying a tax, not exceeding fifty cents in any one year on the one hundred dollars' valuation of taxable property belonging to white persons in said district, which amount shall be levied annually, not exceeding three years, for the purpose of raising money to purchase land, and erecting thereon and furnishing a school-house such as will meet the demands of the district, or for the purpose of purchasing and furnishing the Walnut Hills Academy and grounds, a property centrally and eligibly located in said district, consisting of less than three acres of ground, and the improvements adapted to the wants of the district for school purposes, and now offered at a low price for that purpose; and for defraying the incidental expenses of carrying on said schools, the said trustees are authorized to levy and collect annually an ad valorem tax of five cents on each one hundred dollars' valuation on all taxable property in said district; also a per capita tax on each white male inhabitant of the district over twenty-one years of age, not exceeding in any one year two dollars each.

§ 14. Notices of said election, stating the purpose of said tax, shall be posted in not less than three public places in the district ten days previous to holding said election. The time and manner of holding it shall be determined by the trustees, and if the proposition fails to receive a majority of the votes cast at said election, it may again be submitted from time to time, at the discretion of the board of trustees of the district, until adopted. If a majority of the votes cast are in favor of levying the tax, the trustees shall at once proceed to levy the same. Said tax shall be due and collectable on the first day of July of each year; the assessment of the county assessor for Campbell county shall govern the amount of valuation in levying said tax.

§ 15. The said trustees shall have power to appoint a collector of said taxes, who shall have the same power to enforce its collection that the collectors of the State and county revenue now have. Said collector shall execute bond, with approved security, in the Campbell county court, for the faithful performance of the duties of his office, and shall pay over the taxes collected by him immediately after the collection of the same, to some one authorized by the said trustees to receive it; said receiver also to execute bond, with approved security, in the above named court, for the faithful performance of the duties required of him.

§ 16. Said taxes, or any portion of them, when collected and paid over as before stated, shall be subject to the order of said trustees, to be disbursed for the purposes herein set forth.

§ 17. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Read, were as follows, viz:

Those who voted in the affirmative, were—

Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—15.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories—17.
James B. Garnett,	Sumner Marble,	

Mr. Briggs then moved to reconsider the vote by which the Senate had rejected said bill.

And the question being taken on the adoption of said motion, it was decided in the affirmative.



The vote dispensing with the third reading of said bill, as also that ordering it to be engrossed and read a third time, were also reconsidered.

*Ordered*, That said bill be recommitted to the Committee on Education.

Mr. Cleveland moved the following resolution, viz :

*Resolved*, That rule of the Senate No. 81 be, and the same is hereby, suspended for the present session of the General Assembly.

*Ordered*, That the further consideration of said resolution be postponed till to-morrow at 10½ o'clock, A. M.

A message was received from the House of Representatives, announcing that they had adopted a joint resolution, entitled

Resolution providing for the appointment of a joint special committee on the report of the Commissioners on Codes of Practice.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the revision of the Codes of Practice be referred to a joint committee, to consist of seven from the House and three from the Senate, who will report on the same as soon as convenient.

Mr. Turner then moved to amend said resolution by striking out the word "seven" and inserting in lieu thereof the word "eight," and by striking out the word "three" and inserting in lieu thereof the word "five."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on concurring in the adoption of said resolution, as amended, and it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had concurred in the amendment proposed by the Senate to a joint resolution, which originated in the House of Representatives, entitled

Resolution providing for the appointment of a joint special committee on the report of the Commissioners on Codes of Practice.

The Speaker laid before the Senate the following report of the Commissioners appointed to revise the Codes of Practice :

*To the General Assembly of the Commonwealth of Kentucky :*

The Commissioners appointed to revise the Codes of Practice of Kentucky, respectfully report to your honorable body the accompanying bill, entitled "An act regulating Practice in Civil Cases."



We expect to report, in a few days, concerning Practice in Criminal Cases.

RICHARD A. BUCKNER,  
J. F. BULLITT,  
A. DUVALL.

Mr. J. W. Hays read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Public Printer be, and he is hereby, directed to print three hundred copies of the Codes of Practice, as reported by the Commissioners, for the use of the members of this General Assembly and the officers thereof.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

*Ordered,* That Mr. J. W. Hays report the adoption of said resolution to the House of Representatives.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a joint resolution, which originated in the Senate, entitled

Resolution directing the Public Printer to print 300 copies of Codes of Practice, as reported by Commissioners.

With an amendment thereto.

The hour of 12 o'clock, M., having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, in pursuance of adjournment of the joint session of the two Houses on Saturday, the 15th inst., the purpose of which was the election of a Senator in the Congress of the United States, to succeed the Hon. John W. Stevenson, whose term of office expires March 4th, 1877.

The Speaker of the Senate, at the time designated, took the chair, and called the joint assembly to order.

The Clerks of the respective Houses then read the proceedings of Saturday.

The roll of the two Houses was then called, and the following Senators and Representatives responded:

Pollock Barbour,	Orlando C. Bowles,	W. Jeff. Lee,
Thos. J. Barker,	H. H. Brinkley,	William B. Lindsay,
Wm. J. Berry,	Tobias W. Burton,	Robert E. Little,
James Blackburn,	Pat. Campion,	G. C. Lockhart,

Robert A. Briggs,	James W. Chowning,	Lucien S. Luttrell,
Scott Brown,	E. A. Coffman,	Bryan S. McClure,
F. L. Cleveland,	James M. Cook,	T. J. Megibben,
W. W. Culbertson,	F. G. Cox,	William E. Minor,
W. A. Cunningham,	G. W. Craddock,	Thos. J. Montgomery,
P. F. Edwards,	K. R. Culbertson,	William A. Moore,
Andrew J. Ewing,	S. P. Douthitt,	Robert W. Nelson,
Joseph Gardner,	Thomas J. Drury,	John B. Otten,
James B. Garnett,	P. H. Duncan,	Samuel R. Overstreet,
Duncan Harding,	W. J. Edrington,	J. V. Owen,
James W. Hays,	John Ellis,	Chas. Patterson,
R. G. Hays,	J. H. Emerson,	James M. Payne,
George B. Hodge,	Rufus Emmons,	George W. Pickett,
B. W. S. Huffaker,	James Farmer,	W. L. Pollard,
John Hyden,	John M. Fish,	Jere. Poor,
S. H. Jenkins,	A. J. Fleming,	John W. Powell,
J. R. Leslie,	Joshua G. Ford,	John Preston,
D. H. Lindsay,	L. J. Frazee, jr.,	J. N. Price,
R. B. Lovel,	W. H. Frederick,	David Pryse,
P. A. Lyon,	Joseph A. Gaines,	O. C. Richardson, sr.,
Sumner Marble,	George H. Gardner,	C. W. Robbins,
C. N. Pendleton,	John D. Gardner,	Samuel Russell,
Joseph B. Read,	William L. Grant,	Thomas H. Shanks,
Robert Simmons,	L. E. Green,	Ben. J. Shaver,
J. H. Stanley,	J. Warren Grigsby,	M. M. Sloss,
G. W. Swoope,	Robert E. Grinstead,	A. H. Smith,
E. W. Turner,	Theodore F. Hallam,	D. B. Smith,
H. A. Tyler,	Zach. T. Heady,	George R. Snyder,
Thos. W. Varnon,	Thomas J. Henry,	Ralph L. Spalding,
W. L. Vories,	Thomas W. Henton,	Richard A. Spurr,
C. J. Walton,	Allen C. Hagan,	John A. Steele,
George Wright,	Richard P. Hocker,	L. J. Stephenson,
Mr. Speaker (Stone),	E. E. Hume,	Green Sterrett,
William C. Allen,	W. G. Hunter,	Robert Sterrett,
Marshall Baker,	T. J. Jenkins,	Albert A. Stoll,
William Berkele,	Thomas Johnson,	Richard P. Stoll,
Bell G. Bidwell,	Wood M. Jones,	W. J. Taylor,
James D. Black,	John Watts Kearny,	E. B. Treadway,
James B. Blue,	Wm. Kitchen,	G. W. Winns,
William H. Botts,	Martin W. LaRue,	Charles H. Wood—134.
James H. Bowden,	Daniel Lary,	

The Speaker then announced that the Clerks would now proceed to take the 10th joint vote :

And the vote being taken, stood thus :

In the Senate :

Those who voted for Mr. Beck, were—

Pollock Barbour,	R. G. Hays,	P. A. Lyon,
James Blackburn,	George B. Hodge,	Sumner Marble,
Robert A. Briggs,	John Hyden,	C. N. Pendleton,

F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—16.
James B. Garnett,		

Those who voted for Mr. Williams, were—

Andrew J. Ewing,	Duncan Harding,	E. W. Turner,
Joseph Gardner,	G. W. Swoope,	Thos. W. Varnon—6.

Those who voted for Mr. Leslie, were—

Thos. J. Barker,	J. R. Leslie,	Robert Simmons,
Scott Brown,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	Joseph B. Read,	George Wright—10.
James W. Hays,		

Those who voted for Mr. Wadsworth, were—

Wm. J. Berry,	B. W. S. Huffaker,	C. J. Walton—4.
W. W. Culbertson,		

In the House of Representatives—

Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	Thomas W. Henton,	Robert W. Nelson,
Marshall Baker,	E. E. Hume,	John B. Otten,
Bell G. Bidwell,	T. J. Jenkins,	J. V. Owen,
Pat. Champion,	Wood M. Jones,	Chas. Patterson,
James W. Chowning,	Daniel Lary,	Jere. Poor,
John Ellis,	William B. Lindsay,	John Preston,
James Farmer,	G. C. Lockhart,	Thomas H. Shanks,
John M. Fish,	Lucien S. Luttrell,	M. M. Sloss,
Joshua G. Ford,	Matt. McKinney,	D. B. Smith,
L. J. Frazee, jr.,	T. J. Megibben,	Richard A. Spurr,
Joseph A. Gaines,	William E. Minor,	John A. Steele,
J. Warren Grigsby,	William A. Moore,	L. J. Stephenson—36.

Those who voted for Mr. Williams, were—

William C. Allen,	Zach. T. Heady,	George W. Pickett,
James D. Black,	Thomas J. Henry,	W. L. Pollard,
James B. Blue,	Allen C. Hagan,	John W. Powell,
F. G. Cox,	Thomas Johnson,	J. N. Price,
P. H. Duncan,	John Watts Kearny,	O. C. Richardson, sr.,
W. J. Edrington,	Wm. Kitchen,	C. W. Robbins,
A. J. Fleming,	Martin W. LaRue,	George R. Snyder,
W. H. Frederick,	W. Jeff. Lee,	Ralph L. Spalding,
George H. Gardner,	Robert E. Little,	Green Sterrett,
John D. Gardner,	Thos. J. Montgomery,	Robert Sterrett,
William L. Grant,	James M. Payne,	W. J. Taylor—34.
Theodore F. Hallam,		

Those who voted for Mr. Leslie, were—

William H. Botts,	S. P. Douthitt,	Samuel Russell,
James H. Bowden,	Thomas J. Drury,	Ben. J. Shaver,
Olando C. Bowles,	J. H. Emerson,	A. H. Smith,
Tobias W. Burton,	L. E. Green,	Albert A. Stoll,

E. A. Coffman,	Richard P. Hocker,	G. W. Winns,
James M. Cook,	Bryan S. McClure,	Charles H. Wood—19.
G. W. Craddock,		

Those who voted for Mr. Wadsworth, were—

William Berkele,	Robert E. Grinstead,	David Pryse,
H. H. Brinkley,	W. G. Hunter,	Richard P. Stoll,
K. R. Culbertson,	Samuel R. Overstreet,	E. B. Treadway—10.
Rufus Emmons,		

In summing up the vote of the joint assembly, it was found to stand thus :

For Mr. Beck,	- - - - -	52 votes.
For Mr. Williams,	- - - - -	40 votes.
For Mr. Leslie,	- - - - -	29 votes.
For Mr. Wadsworth,	- - - - -	14 votes.

Whole number of votes cast,	- - - - -	135
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Necessary to a choice, 68.

No one in nomination having received a majority of all the votes cast, and of all the members elected to each House, it was so announced by the Speaker.

Mr. Representative Botts then withdrew the name of Mr. Leslie.

Mr. Barker then moved that the joint assembly do now dissolve, to convene again to-morrow at 12 o'clock, M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Representatives Bowles and Snyder, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	William Berkele,	G. C. Lockhart,
Thos. J. Barker,	Bell G. Bidwell,	Lucien S. Luttrell,
James Blackburn,	James H. Bowden,	Matt. McKinney,
Robert A. Briggs,	Pat. Campion,	T. J. Megibben,
Scott Brown,	James W. Chowning,	William E. Minor,
F. L. Cleveland,	E. A. Coffman,	Thos. J. Montgomery,
W. A. Cunningham,	James M. Cook,	William A. Moore,
P. F. Edwards,	G. W. Craddock,	John B. Otten,
James B. Garnett,	S. P. Douthitt,	J. V. Owen,
James W. Hays,	John Ellis,	Chas. Patterson,
R. G. Hays,	Rufus Emmons,	Jere. Poor,
George B. Hodge,	James Farmer,	John Preston,
John Hyden,	Joshua G. Ford,	Thomas H. Shanks,
S. H. Jenkins,	L. J. Frazee, jr.,	Ben. J. Shaver,
J. R. Leslie,	Joseph A. Gaines,	M. M. Sloss,
D. H. Lindsay,	J. Warren Grigsby,	A. H. Smith,



R. B. Lovel,	Theodore F. Hallam,	D. B. Smith,
P. A. Lyon,	Thomas W. Henton,	Ralph L. Spalding,
Sumner Marble,	E. E. Hume,	Richard A. Spurr,
C. N. Pendleton,	W. G. Hunter,	John A. Steele,
Joseph B. Read,	T. J. Jenkins,	L. J. Stephenson,
J. H. Stanley,	Wood M. Jones,	Green Sterrett,
H. A. Tyler,	Wm. Kitchen,	Albert A. Stoll.
Mr. Speaker (Stone),	Daniel Lary,	Richard P. Stoll—74.
Marshall Baker,	William B. Lindsay,	

Those who voted in the negative, were—

Wm. J. Berry,	F. G. Cox,	W. Jeff. Lee,
W. W. Culbertson,	K. R. Culberston,	Robert E. Little,
Andrew J. Ewing,	Thomas J. Drury,	Bryan S. McClure,
Joseph Gardner,	P. H. Duncan,	Robert W. Nelson,
Duncan Harding,	W. J. Edrington,	Samuel R. Overstreet,
B. W. S. Huffaker,	J. H. Emerson,	James M. Payne,
Robert Simmons,	John M. Fish,	George W. Pickett,
G. W. Swoope,	A. J. Fleming,	W. L. Pollard,
E. W. Turner,	W. H. Frederick,	John W. Powell,
Thos. W. Varnon,	George H. Gardner,	J. N. Price,
W. L. Vories,	John D. Gardner,	David Pryse,
C. J. Walton,	William L. Grant,	O. C. Richardson, sr.,
George Wright,	Robert E. Grinstead,	C. W. Robbins,
William C. Allen,	Zach. T. Heady,	Samuel Russell,
James D. Black,	Thomas J. Henry,	George R. Snyder,
James B. Blue,	Allen C. Hagan,	Robert Sterrett,
William H. Botts,	Richard P. Hocker,	W. J. Taylor,
Orlando C. Bowles,	Thomas Johnson,	E. B. Treadway,
H. H. Brinkley,	John Watts Kearny,	G. W. Winns,
Tobias W. Burton,	Martin W. LaRue,	Charles H. Wood—60.

The Senators then repaired to the Senate Chamber, and, on motion, the Senate adjourned.

TUESDAY, JANUARY 18, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act to incorporate the St. Bonifacius Roman Catholic Men's Society of Paducah.

That they had passed a bill, which originated in the Senate, entitled

An act for the benefit of L. J. Wise, jailer of Ohio county.

That they had passed bills of the following titles, viz :

1. An act for the benefit of school districts Nos. 18 and 44, of Henderson county.

2. An act to amend article 11, chapter 91, of the General Statutes, title "Revenue and Taxation."

3. An act for the sale of Mount Horeb Parsonage.

4. An act to amend an act, entitled "An act to secure the payment into the Treasury of all fines, taxes, and license fees collected by trustees of the jury fund, clerks, and other officers," approved February 23, 1874.

5. An act to create a special road law for the county of Pendleton.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Education; the 2d to the Committee on General Statutes and Codes of Practice; the 3d to the Committee on Religion and Morals; the 4th to the Committee on Finance, and the 5th to the Committee on Internal Improvement.

The following petitions were presented, viz :

By Mr. Culbertson—

1. Petition of citizens of Geigerville, praying the repeal of town charter.

By Mr. Tyler—

2. Petition of A. W. Dudley, of Franklin county.

By Mr. Gardner—

3. Petition of citizens of the counties of Breathitt, Owsley, and Perry, praying for the formation of a new county.

Which petitions were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on Propositions and Grievances, and the 2d to the Committee on Claims.

Mr. Lyon, from the Committee on Enrollments, reported that the Committee had examined an enrolled resolution, which originated in the House of Representatives, of the following title, viz :

Resolution providing for the appointment of a joint special committee on the report of Commissioners on Codes of Practice ;

And an enrolled bill and resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate Hartford Lodge, No. 158, Independent Order of Odd Fellows, at Hartford, Ohio county ;

Resolution calling on the Auditor for an estimate of the population of this State ;

And had found the same truly enrolled.

Said bill and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz :

On motion of Mr. Lyon—

1. A bill to amend an act, entitled “An act to change the line dividing Logan and Simpson counties,” approved January 14, 1869.

On motion of Mr. Wright—

2. A bill to repeal the militia tax.

On motion of same—

3. A bill for the benefit of F. M. Hunt, committee of Rachel Hicks, an idiot, of Laurel county.

On motion of Mr. Ewing—

4. A bill to amend section 1 of article 16 of chapter 41 of the General Statutes.

On motion of Mr. Harding—

5. A bill to provide for the construction and completion of turnpike roads in Robertson county.

On motion of Mr. Barker—

6. A bill for the benefit of the Bardstown and Louisville Turnpike Road Company.

On motion of same—

7. A bill to amend chapter 84 of the General Statutes.

On motion of same—

8. A bill for the benefit of company G., first regiment of State Guards.

On motion of Mr. Lindsay—

9. A bill for the benefit of the ferry across the Ohio river, from Boone county, opposite Rising Sun, Indiana.

On motion of same—

10. A bill for the benefit of R. H. Morrow, sheriff of Gallatin county, and Jos. Wilcher, jailer of said county.

On motion of same—

11. A bill for the benefit of the sheriff and jailer of Gallatin county.

On motion of Mr. Huffaker—

12. A bill to amend an act authorizing rewards for killing wolves, red foxes, grey foxes, and wildcats, approved February 5, 1873.

On motion of Mr. Gardner—

13. A bill to create a new county out of parts of the counties of Breathitt, Owsley, and Perry.

On motion of same—

14. A bill to incorporate the Rowan County, Kentucky, Lithographic Stone Quarry Company.

On motion of Mr. Turner—

15. A bill to incorporate the Estill Mining and Lithographic Company.

On motion of Mr. R. G. Hays—

16. A bill for the benefit of John C. Broadhead.

On motion of Mr. Jenkins—

17. A bill for the benefit of A. J. Waden, S. W. Owens, and J. Corbett, giving them further time to make out and collect their fee bills.

On motion of same—

18. A bill to change the time of holding the Ballard county court.

On motion of Mr. Culbertson—

19. A bill allowing appeals in certain cases to the circuit court, and then to the Court of Appeals, in judgments obtained on certain ordinances of the town of Catlettsburg.



On motion of same—

20. A bill to incorporate the Mutual Benefit Association of the Western Virginia Conference of the M. E. Church, South.

On motion of Mr. Ewing—

21. A bill to amend chapter 7 of the General Statutes.

On motion of same—

22. A bill to amend section 651 of the Civil Code of Practice.

On motion of Mr. Tyler—

23. A bill for the benefit of A. W. Dudley, of Franklin county.

On motion of Mr. Blackburn—

24. A bill to repeal sections 8 and 9 of chapter 75 of the General Statutes, and to amend section 14 of same chapter.

On motion of same—

25. A bill to amend an act, entitled "An act to incorporate the Mt. Freedom and Jessamine County Turnpike Road Company."

On motion of Mr. Walton—

26. A bill to establish a criminal court in the 6th judicial district.

On motion of Mr. Lindsay—

27. A bill to amend an act, entitled "An act incorporating the Warsaw Turnpike Company."

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 4th, 7th, 21st, 22d, and 24th; the Committee on Military Affairs the 2d and 8th; the Committee on Finance the 3d and 12th; the Committee on Internal Improvement the 5th, 6th, 15th, 25th, and 27th; the Committee on Courts of Justice the 9th, 17th, 18th, and 26th; the Committee on the Judiciary the 10th, 11th, 14th, and 19th; the Committee on Propositions and Grievances the 13th; the Committee on Claims the 16th and 23d, and the Committee on Charitable Institutions the 20th.

The Senate took up for consideration the amendment proposed by the House of Representatives to a resolution, which originated in the Senate, entitled

Resolution directing the Public Printer to print 300 copies of Codes of Practice, as reported by Commissioners.

The question was then taken on concurring in said amendment, and it was decided in the negative.

After a short time, a message was received from the House of Representatives, announcing that they had receded from their proposed amendment to a resolution, which originated in the Senate, entitled

Resolution directing the Public Printer to print 300 copies of Codes of Practice, as reported by Commissioners.

A message in writing was received from the Governor by Hon. J Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 18th, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice the following named persons as worthy to be commissioned as notaries public, to act in the limits herein set forth :

Samuel McKee, Jefferson county.  
Eugene C. Warren, Jefferson county.  
James F. Read, Jefferson county.  
Phil. F. Brown, Fayette county.  
W. O. B. Ratliff, Pike county.  
W. M. Connolly, Pike county.  
O. C. Bowles, Pike county.  
A. Lee Barret, Martin county.  
John Williams, Jefferson county.  
R. F. Warfield, Breckinridge county.  
George K. Ratliff, Caldwell county.  
Fountain T. Fox, Jefferson county.  
Julius P. Barclay, Warren county.  
Miles P. Livers, Nelson county.  
James G. Carter, Rockcastle county.  
Thomas Ford, Floyd county.  
W. L. Auxier, Floyd county.  
G. M. Whitten, Boyd county.  
B. F. Camp, Jefferson county.  
Milton D. Brown, Christian county.  
C. H. Webb, Livingston county.  
William R. Johnson, Jefferson county.  
R. M. Collins, Harrison county.  
James L. Gavrín, Hart county.  
G. C. Dudley, Caldwell county.  
William W. Ball, Mason county.  
James B. McFerran, Boyle county.  
H. D. Stratton, Grant county.  
R. C. Nuckols, Scott county.  
Theodore H. McGee, Jefferson county.  
John C. Barret, Jefferson county.  
William A. Perry, Henry county.  
William H. Saunders, Jefferson county.  
Isaac Hoffman, Anderson county.  
Thomas C. Timberlake, Jefferson county.  
J. S. Park, Madison county.  
Alfred T. Pope, Jefferson county.  
T. W. Newberry, Martin county.  
H. C. Rodes, Jefferson county.  
Henry Hurter, Jefferson county.

J. P. Barclay, Warren county.  
 Bennett D. Mattingly, Jefferson county.  
 James F. Clay, Henderson county.  
 Albert S. Willis, Jefferson county.  
 Thomas P. Grasty, Louisville.  
 S. S. Savage, Boyd county.  
 Alfred H. Goble, Boyd county.  
 John Haswel, Breckinridge county.  
 John D. Wickliffe, Nelson county.  
 W. K. Benton, Kenton county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

A message was also received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed an enrolled bill, which originated in the Senate, of the following title, viz :

An act for the benefit of the children of Joseph Ross, deceased.

The Senate, according to order, took up for consideration

A bill to amend article 12 of chapter 33 of General Statutes, entitled "Elections."

*Ordered*, That the further consideration of said bill be postponed and made the special order of the day, to be considered in Committee of the Whole, to-morrow, at 10½ o'clock, A. M.

The Senate, according to order, took up for consideration the resolution proposed by Mr Cleveland on yesterday.

Said resolution reads as follows, viz :

*Resolved*, That rule of the Senate No. 81 be, and the same is hereby, suspended for the present session of the General Assembly.

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	George B. Hodge,	Joseph B. Read,
F. L. Cleveland,	B. W. S. Huffaker,	Robert Simmons,
P. F. Edwards,	S. H. Jenkins,	J. H. Stanley,
Joseph Gardner,	D. H. Lindsay,	Thos. W. Varnon,
Duncan Harding,	P. A. Lyon,	George Wright—16.
R. G. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
James Blackburn,	James W. Hays,	E. W. Turner,

Scott Brown,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton—18.

Mr. Gardner, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of common schools of Paducah,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. G. Hays, from the committee heretofore appointed to ask the consent of the House of Representatives to withdraw their announcement of the passage of a bill, which originated in the Senate, entitled

An act for the benefit of Thomas Shauks, sheriff of the county of Jefferson,

Reported that the committee had performed the duty assigned them, and said bill was handed in at the Clerk's desk.

Mr. R. G. Hays then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also dispensed with.

*Ordered*, That said bill be recommitted to the Committee on Finance.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to facilitate and insure the collection of the revenue and county levy in the various counties in this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed and placed in the orders of the day.

Mr. R. G. Hays read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz :



*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Sergeants-at-arms of the Senate and House of Representatives, and Henry Stanton, Esq., be, and they are hereby, authorized and directed to purchase two maps of the latest print and approved accuracy of the State of Kentucky, for the use of the Senate and House of Representatives, and that the same, when purchased, shall be hung at some convenient place on the wall of each House of the General Assembly; said maps not to cost exceeding twenty dollars each; and that the Auditor is hereby directed to draw his warrant on the Treasury in their favor for the cost of the same.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Simmons, from the Committee on Education, reported

A bill to change district No. 44, in Kenton county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered,* That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved,* That said bill do pass, and that the title thereof be as aforesaid.

Mr. Briggs moved the following resolution, viz :

*Resolved,* That rule No. 81 of the Senate be suspended till February 1st, 1876.

The rule requiring said resolution to lie one day on the table being dispensed with,

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	B. W. S. Huffaker,	Robert Simmons,
P. F. Edwards,	S. H. Jenkins,	J. H. Stanley,
Joseph Gardner,	D. H. Lindsay,	Thos. W. Varnon,
Duncan Harding,	P. A. Lyon,	George Wright—15.

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	C. N. Pendldton,
Wm. J. Berry,	James W. Hays,	E. W. Turner,
James Blackburn,	John Hyden,	H. A. Tyler,
Scott Brown,	J. R. Leslie,	W. L. Vories,
W. W. Culbertson,	R. B. Lovel,	C. J. Walton—19.
W. A. Cunningham,		

The hour of 12 o'clock, M., having arrived, the Speaker of the Senate announced that the Senators would now repair to the Hall of the House of Representatives, in pursuance of adjournment of the joint session of the two Houses on yesterday, the purpose of which was the election of a Senator in the Congress of the United States, to succeed the Hon. John W. Stevenson, whose term of office expires March 4th, 1877.

The Speaker of the Senate, at the time designated, took the chair, and called the joint assembly to order.

The Clerks of the respective Houses then read the proceedings of yesterday.

The roll of the two Houses was then called, and the following Senators and Representatives responded :

Pollock Barbour,	Orlando C. Bowles,	W. Jeff. Lee,
Thos. J. Barker,	H. H. Brinkley,	William B. Lindsay,
Wm. J. Berry,	Tobias W. Burton,	Robert E. Little,
James Blackburn,	Pat. Campion,	G. C. Lockhart,
Robert A. Briggs,	James W. Chowning,	Lucien S. Luttrell,
Scott Brown,	E. A. Coffman,	Bryan S. McClure,
F. L. Cleveland,	James M. Cook,	Matt. McKinney,
W. W. Culbertson,	F. G. Cox,	T. J. Megibben,
W. A. Cunningham,	G. W. Craddock,	William E. Minor,
P. F. Edwards,	K. R. Culbertson,	William A. Moore,
Andrew J. Ewing,	S. P. Douthitt,	Robert W. Nelson,
James B. Garnett,	Thomas J. Drury,	John B. Otten,
Duncan Harding,	P. H. Duncan,	Samuel R. Overstreet,
James W. Hays,	W. J. Edrington,	J. V. Owen,
R. G. Hays,	John Ellis,	Chas. Patterson,
George B. Hodge,	J. H. Emerson,	James M. Payne,
B. W. S. Huffaker,	Rufus Emmons,	George W. Pickett,
John Hyden,	James Farmer,	W. L. Pollard,
S. H. Jenkins,	John M. Fish,	John W. Powell,
J. R. Leslie,	A. J. Fleming,	John Preston,
D. H. Lindsay,	Joshua G. Ford,	J. N. Price,
R. B. Lovel,	L. J. Frazee, jr.,	David Pryse,
P. A. Lyon,	W. H. Frederick,	O. C. Richardson, sr.,
Sumner Marble,	Joseph A. Gaines,	C. W. Robbins,

C. N. Pendleton,	George H. Gardner,	Samuel Russell,
Joseph B. Read,	John D. Gardner,	Ben. J. Shaver,
Robert Simmons,	William L. Grant,	M. M. Sloss,
J. H. Stanley,	L. E. Green,	A. H. Smith,
G. W. Swoope,	J. Warren Grigsby,	D. B. Smith,
E. W. Turner,	Robert E. Grinstead,	George R. Snyder,
H. A. Tyler,	Theodore F. Hallam,	Ralph L. Spalding,
Thos. W. Varnon,	Zach. T. Heady,	Richard A. Spurr,
C. J. Walton,	Thomas W. Henton,	John A. Steele,
George Wright,	Richard P. Hocker,	L. J. Stephenson,
Mr. Speaker (Stone),	E. E. Hume,	Green Sterrett,
William C. Allen,	W. G. Hunter,	Robert Sterrett,
Marshall Baker,	T. J. Jenkins,	Albert A. Stoll,
William Berkele,	Thomas Johnson,	Richard P. Stoll,
Bell G. Bidwell,	Wood M. Jones,	W. J. Taylor,
James D. Black,	John Watts Kearny,	E. B. Treadway,
James B. Blue,	Wm. Kitchen,	G. W. Winns,
William H. Botts,	Martin W. LaRue,	Charles H. Wood—128.
James H. Bowden,	Daniel Lary,	

Mr. Representative LaRue then withdrew the name of Hon. John S. Williams.

There being no other nominations, the Speaker then announced that the Clerks would now proceed to take the 11th joint vote as between those remaining in nomination.

And the vote being taken, stood thus :

In the Senate :

Those who voted for Mr. Beck, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Thos. J. Barker,	James W. Hays,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	George Wright—29.
James B. Garnett,	P. A. Lyon,	

Those who voted for Mr. Wadsworth, were—

Wm. J. Berry,	B. W. S. Huffaker,	C. J. Walton—4.
W. W. Culbertson,		

In the House of Representatives—

Those who voted for Mr. Beck, were—

Mr. Speaker (Stone),	Joseph A. Gaines,	J. V. Owen,
William C. Allen,	William L. Grant,	Chas. Patterson,
Marshall Baker,	J. Warren Grigsby,	George W. Pickett,
Bell G. Bidwell,	Theodore F. Hallam,	W. L. Pollard,

James D. Black,	Thomas W. Henton,	John W. Powell,
James B. Blue,	Richard P. Hocker,	John Preston,
William H. Botts,	E. E. Hume,	J. N. Price,
James H. Bowden,	T. J. Jenkins,	O. C. Richardson, sr.,
Tobias W. Burton,	Thomas Johnson,	C. W. Robbins,
Pat. Campion,	Wood M. Jones,	Samuel Russell,
James W. Chowning,	John Watts Kearny,	Thomas H. Shanks,
E. A. Coffman,	Wm. Kitchen,	Ben. J. Shaver,
James M. Cook,	Martin W. LaRue,	M. M. Sloss,
F. G. Cox,	Daniel Lary,	A. H. Smith,
G. W. Craddock,	W. Jeff. Lee,	D. B. Smith,
S. P. Douthitt,	William B. Lindsay,	George R. Snyder,
Thomas J. Drury,	Robert E. Little,	Ralph L. Spalding,
P. H. Duncan,	G. C. Lockhart,	Richard A. Spurr,
W. J. Edrington,	Lucien S. Luttrell,	John A. Steele,
John Ellis,	Bryan S. McClure,	L. J. Stephenson,
J. H. Emerson,	Matt. McKinney,	Green Sterrett,
James Farmer,	T. J. Megibben,	Robert Sterrett,
John M. Fish,	William E. Minor,	Albert A. Stoll,
Joshua G. Ford,	William A. Moore,	G. W. Winns,
L. J. Frazee, jr.,	Robert W. Nelson,	Charles H. Wood—77.
W. H. Frederick,	John B. Otten,	

Those who voted for Mr. Wadsworth, were—

William Berkele,	Robert E. Grinstead,	David Pryse,
H. H. Brinkley,	W. G. Hunter,	Richard P. Stoll,
K. R. Culbertson,	Samuel R. Overstreet,	E. B. Treadway—10.
Rufus Emmons,		

Those who voted for Mr. Preston, were—

Olando C. Bowles,	John D. Gardner,	Zach. T. Heady—4.
A. J. Fleming,		

For Mr. Knott—George H. Gardner—1.

In summing up the vote of the joint assembly, it was found to stand thus:

For Mr. Beck,	- - - - -	106 votes.
For Mr. Wadsworth,	- - - - -	14 votes.
For Mr. Preston,	- - - - -	4 votes.
For Mr. Knott,	- - - - -	1 vote.

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Whole number of votes cast, - - - - - 125

Necessary to a choice, 63.

Before the result of the vote was announced, Mr. Swoope asked to be excused from voting.

Which was granted.



The Speaker of the Senate and presiding officer of the joint assembly then announced that the Hon. James B. Beck, having received a majority of all the votes cast, and there being present and voting a majority of all the members elected to each House of the General Assembly, was duly elected a Senator from the State of Kentucky, to serve as such in the Congress of the United States for the term of six years from and after the 4th day of March, 1877.

On motion of Mr. Representative Craddock, the joint assembly was then dissolved.

The Senators then repaired to the Senate Chamber, and, on motion, the Senate adjourned.

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### WEDNESDAY, JANUARY 19, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to prevent the destruction of fish in Lewis, Daviess, and McLean counties.

An act for the benefit of John M. Johnson, late sheriff of Henderson county.

That they had passed bills of the following titles, viz :

1. An act to reduce into one act an act to establish the Kentucky Institution for the Education of the Blind, and amendments thereto.

2. An act to legalize and make valid certain orders of the Livingston county court.

3. An act authorizing the Boyd county court to issue the bonds of said county, and provide for the payment of the same, to build clerks' offices and repair the jail of said county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Charitable Institutions, and the 2d and 3d to the Committee on Courts of Justice.

On motion of Mr. Culbertson, leave of absence, indefinitely, was granted Mr. Read.

On motion of Mr. R. G. Hays, leave of absence, indefinitely, was granted Mr. Simmons.

On motion of Mr. Brown, leave of absence, indefinitely, was granted Mr. Hodge.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate Hartford Lodge, No. 158, Independent Order of Odd Fellows, at Hartford, Ohio county.

Resolution calling on the Auditor for an estimate of the population of this State.

The following petitions were presented, viz :

By Mr. Culbertson—

1. Petition of sundry citizens of Boyd county, protesting against the repeal of the charter of Geigerville.

By Mr. Read—

2. Petition of sundry citizens of Louisville, praying for a law to prevent barbers from keeping open their shops on Sunday for the purpose of shaving, &c.

By Mr. Jenkins—

3. Petition of citizens of Lovelaceville, Ballard county, praying for the passage of a law repealing the law extending the corporate limits of said town.

By Mr. Turner—

4. Petition of citizens of Estill county, asking that chapter 850 of Session Acts — be made to apply to the county of Estill.

Which petitions were read and referred—the 1st to the Committee on Propositions and Grievances ; the 2d to the Committee on Relig-

ion, and Morals; the 3d to the Committee on Internal Improvement, and the 4th to the Committee on General Statutes and Codes of Practice.

The Speaker laid before the Senate the response of the Auditor to a joint resolution, which originated in the Senate, entitled

Resolution calling on the Auditor for an estimate of the population of this State.

The Speaker laid before the Senate the report of ex-Governor P. H. Leslie, showing the expenditures, &c., incurred in converting the State House of Reform for Juvenile Delinquents into a lunatic asylum.

Said report reads as follows, viz :

STATE OF KENTUCKY, EXECUTIVE OFFICE,  
FRANKFORT, 30th August, 1875. }

*To the Honorable Legislature of the State of Kentucky :*

Referring to the Governor's regular message, addressed to the General Assembly, December session, 1873, on the subject of the Fourth Kentucky Lunatic Asylum, and to the act passed by said General Assembly, entitled "An act appropriating money to the Fourth Kentucky Lunatic Asylum," approved December 22d, 1873, I have the honor to submit the following report, "showing how or for what said money has been, or shall be, expended," to-wit :

Pay-rolls for days' work of bricklayers and laborers in changing the work-shop building -----	\$638 70
Boulier Bros., for warm air conductors -----	883 44
Anzeiger Company, for advertising -----	55 00
Philip Thomas, cut stone work -----	16 29
Utica Lime Company, for lime, &c. -----	306 52
Newkirk & McGuire's contract for carpenters' work, work-shop, &c. -----	1,689 71
John Mitchell, contract for work on central building, boiler-house, and school building -----	16,282 14
B. J. Campbell, plasterers' work and jobbing -----	1,094 35
Snead & Co., wrought iron window guards -----	3,597 18
McDonald, sewers and drainage -----	150 20
Snead & Sayer, cast iron columns -----	77 00
Johnston & Cox, lightning rods -----	35 00
Hale & Frisby, painting, glass, and jobbing -----	1,056 61
George B. Bahr & Co., locks to order -----	998 92
J. V. Escott & Son, paper hanging -----	237 89
Robert Biggs, plumbing, &c. -----	29 25
W. S. Magens & Co., plumbing, &c. -----	22,907 75
Amount carried forward -----	\$50,055 84

Amount brought forward -----	\$50,055 86
Wm. Edwards, bricklaying -----	103 00
John Andrewartha, architect -----	2,507 94
	<hr/>
	\$52,666 80
George Bayless, treasurer, to pay for changes in buildings -----	5,000 00
Same, for same -----	2,733 20
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	\$60,400 00
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All the contracts for said work, &c., and vouchers in writing, regularly signed, showing the application of said sums, amounting to sixty thousand four hundred dollars, as herein before listed, are on file in the Auditor's office for the inspection of the General Assembly.

P. H. LESLIE,

The Speaker also laid before the Senate the report of the Commissioners appointed to expend \$100,000 on the Central Kentucky Lunatic Asylum, and report of moneys expended by the Governor under resolution of the General Assembly directing provision to be made for pauper lunatics.

Said report reads as follows, viz :

*To the General Assembly of the Commonwealth of Kentucky :*

In pursuance with the provisions of an act of the General Assembly, entitled "An act concerning the State House of Reform, and permanently establishing the Central Kentucky Lunatic Asylum," approved 16th February, 1874, Sidney J. Hobbs and J. W. Goslee were nominated to the Senate of Kentucky as fit and proper Commissioners, in conjunction with the Governor, to contract for and superintend the erection and completion of the improvements to the Central Kentucky Lunatic Asylum contemplated and directed in said act. Their nomination was approved by the Senate, and we have the honor to submit the following report:

Said two Commissioners, with the Governor, procured an architect and caused plans to be prepared and made a selection, adopting the plan under which the improvements have gone on to completion and are now in successful use. Before the work was finished and received, said J. W. Goslee was suddenly killed by a train or cars running over his body. He had been agreed upon, and acted up to his death, as Chairman of the Board of Commissioners. Upon his death, the Governor appointed Wm. Hughes a Commissioner to fill the vacancy, and he was made Chairman, and so acted till the completion and reception of the work.

The contracts were all advertised for and let as directed in the act, and the following exhibit will show the moneys paid out, and to whom, for



what—vouchers for which they have filed with the Auditor for inspection of your honorable body and for safe-keeping.

Cash paid to—

George Hoerts & Bro., for brick work-----	\$1,000 00
Same, for same -----	1,000 00
Same, for same -----	1,000 00
Same, for same -----	600 00
Same, for same -----	600 00
Same, for same -----	1,000 00
Same, for same -----	1,000 00
Same, for same -----	1,000 00
Same, for same -----	1,000 00
Same, for same -----	1,000 00
Same, for same -----	800 00
Same, for same -----	1,000 00
Owens & Buchanan, for plastering -----	600 00
Same, for same -----	200 00
Same, for same -----	600 00
Same, for same -----	400 00
Robert Biggs, for steam heating-----	1,500 00
Same, for steam fitting-----	1,500 00
Same, for same -----	500 00
Same, for same -----	1,000 00
Robert Biggs, for steam heating, &c. -----	2,500 00
Same, for same -----	1,500 00
W. H. Reddin, for advertising -----	2 00
Same, as architect-----	300 00
Same, as same -----	500 00
Same, as same -----	500 00
Same, as same -----	300 00
A. Mitchell & Bros., for roofing building-----	478 00
Same, for same -----	1,000 00
Same, for same -----	140 00
Same, for same -----	500 00
Same, for same -----	273 00
Same, for same -----	500 00
Same, for same -----	1,000 00
A Boulter & Bros., for galvanized iron work -----	500 00
Same, for same -----	1,000 00
Same, for same -----	500 00
Same, for same -----	500 00
Same, for same -----	500 00
Same, for same -----	500 00
Same, for same -----	500 00
Same, for same -----	500 00
Same, for same -----	500 00

Amount carried forward ----- \$31,793 00

Amount brought forward.....	\$31,793 00
Belknap, Glaser & Co., for stone work.....	1,000 00
Same, for same .....	800 00
Same, for same .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	400 00
Same, for same .....	700 00
Same, for same .....	500 00
Same, for same .....	800 00
Same, for same .....	600 00
Louisville Bridge and Iron Company, for material furnished.....	1,000 00
Same, for same .....	1,500 00
Same, for same .....	6,600 00
Same, for same .....	1,400 00
Same, for same .....	1,500 00
Same, for same .....	3,000 00
Same, for same .....	500 00
Same, for same .....	7,750 00
Same, for same .....	4,000 00
Henry Krupp, for brick .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	4,555 00
Same, for same .....	1,000 00
Same, for same .....	1,000 00
Same, for same .....	50 00
Same, for same .....	100 00
Same, for same .....	50 00
H. P. McDonald, as architect.....	250 00
S. J. Hobbs .....	200 00
A. Gearing, for blacksmithing.....	27 70
Same, for hauling.....	8 10
G. W. Creighton.....	115 65
Jacob Rupp.....	8 75
W. L. Hudson .....	100 00
Same .....	162 80
Joseph Morin, for laying sewer pipes.....	500 00
Same, for excavations, &c.....	842 07
John Maddox, for hauling .....	12 80
Same, for same .....	41 00
George Bayless, for burning brick .....	323 00
D. S. Sinco, for wood .....	208 00
R. C. Hudson, for superintending.....	500 00
Amount carried forward.....	\$81,897 07

Amount carried forward .....	\$81,897 07
Same, for same .....	250 00
Same, for wood-chopping.....	100 00
Same, for hauling wood .....	100 00
Same, for wood-chopping.....	100 00
Same, for same .....	150 00
Same, for same .....	150 00
Same, for wood hauling.....	100 00
George Baker, for brick .....	30 00
Same, for same .....	20 00
Aikin & Drumond, for door frames.....	79 14
J. B. Speed & Co., for cement.....	18 00
Hamilton & Judge, for piping.....	761 45
William Maddox, for wood .....	375 00
Peter Merkel, for wood .....	27 56
Same, for same .....	27 50
Same, for same .....	82 50
Louisville Bridge and Iron Company, for iron beams.....	30 62
Same, for same .....	78 24
Same, for elevating trusses, &c. ....	120 00
J. C. Fink & Co., for piping .....	29 89
Alex. Sinclair, for stone work.....	150 00
Same, for same .....	200 00
H. J. Lewis & Bro., for window lintels.....	11 20
Frank Augustus, for wood .....	125 00
Joseph Nevin, for excavations, &c. ....	142 50
William Terry, for wood .....	21 85
Joshua Thompson, for wood.....	25 50
J. W. Newman, for wood .....	44 00
Alex. Taylor, for wood .....	96 25
Speed & Creighton, pipe fitting, &c. ....	64 53
Louisville Commercial, for advertising .....	10 80
Louisville Courier-Journal, for advertising .....	16 10
P. L. Dorsey, for wood .....	500 00
Same, for same .....	31 50
A. Bouliet & Bro., air piping.....	35 00
Robert Biggs, for plumbing.....	426 84
Louisville, Cincinnati, and Lexington Railroad Company, for freight..	1 35
B. E. Mulford, for piping.....	70 00
Same, for same .....	132 90
H. J. Lewis & Bro., for joists, &c. ....	42 60
Belknap, Glaser & Co., stone work .....	625 20
George Hoertz & Bro., for brick work.....	1,443 71
Owens & Buchanan, for plastering.....	375 00
Same, for same .....	700 00
Same, for same .....	1,200 00
Amount carried forward .....	\$91,019 47

Amount brought forward.....	\$91,019 47
Louisville Bridge and Iron Company, for work.....	3,000 00
Robert Biggs, for plumbing.....	500 00
A. Boulrier & Bro., for galvanized iron, &c.....	503 10
Same, for same .....	236 52
Robert Biggs, for plumbing, &c.....	629 84
Same, for same .....	249 50
A. Mitchell & Bro., for slating, &c. ....	800 00
Same, for slate roofing.....	600 00
Louisville Bridge and Iron Company, for work.....	1,000 00
Edward Harris, for brick work.....	175 00
Same, for same .....	50 00
Same, for same .....	79 90
J. B. Speed & Co., for cement .....	99 45
Same, for same .....	20 00
Courier-Journal, for advertising .....	11 90
Joseph Nevin, for labor .....	75 00
Jos. Mitchell, for steam fixtures.....	1,203 09
Cash for copy of bill.....	4 00
W. H. Reddin, as architect.....	150 00
	<hr/>
	\$100,406 77
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All of which is respectfully reported.

P. H. LESLIE,  
S. J. HOBBS,  
WM. HUGHES.

DECEMBER, 1875.

In pursuance to the requirements of resolution No. 24, entitled "Resolution directing the Governor to provide for such pauper lunatics as cannot be accommodated in the several lunatics asylums," approved 23d February, 1874, I put out special and general inquiry with reference to procuring suitable buildings, by renting, in which to accommodate and have cared for a number of pauper lunatics, colored and white, say from sixty to ninety, who could not be accommodated in the asylums. Finding that few, if any, buildings suitable for such purpose could be found and procured, and that the rent which would have to be paid, coupled with the responsibility to be incurred in case of damage or loss by fire, and the increased force to keep, overlook, and supply the unfortunates, I determined, and did have erected, at Central Kentucky Lunatic Asylum, two substantial and comfortable buildings, suitable for the class of patients aforesaid, the capacity of which range from one hundred and twenty to thirty, and to these I directed said class of patients to be carried and placed under the care and management of the officers of said asylum, which has been done. The erection and furnishing of these buildings was a ready and ample provision, and not only met the necessity tempo-



rarily, but is a fixed and convenient provision to last for years to come. The asylums have been kept filled to their utmost capacity, and still these two attachments to the Central Asylum are indispensable. The cost has been light, indeed, compared with the cost of such provision per patient heretofore. The following shows the items of cost, vouchers for which, regularly receipted, are filed with the Auditor for safe-keeping, and for the inspection of the General Assembly. The apparent necessity for relief to pauper lunatics through the spring and summer was such as to induce the belief that greater and more extended provision must be made than turned out to be required in the use of all the money drawn for that purpose, and the excess was returned to the Treasury:

Lumber, material, and labor in providing for pauper lunatics March, April, and May, 1874-----	\$2,400 00
Paid Louisville, Cincinnati, and Lexington Railroad Company, for freight-----	43 60
Same, for same -----	26 45
H. J. Lewis & Bro., for lumber, &c.-----	2,417 56
Dupont & Co., for plastering-----	27 54
Hiram Wood, for carpentering -----	46 00
William Wood, for carpentering -----	44 00
Denis Cardwell, for carpentering -----	44 00
George Pastoff, for labor-----	36 00
James Kell, for carpentering-----	722 00
H. J. Lewis & Bro., for shingles -----	475 05
W. H. Maddox & Bro., for lumber-----	67 00
George Hoertz & Bro., for brick work -----	93 20
Same, for same -----	480 90
Robert Biggs, steam heating, &c. -----	1,756 00
A. Boulter & Bro., piping, &c. -----	151 90
Bridgford & Co., for sheet iron -----	5 20
James Daily & Co., for locks, &c.-----	33 35
Same, for nails, &c.-----	23 35
Dupont & Co., for plastering-----	40 61
Robert Biggs, for pipes, &c.-----	93 50
E. F. Gallagher, for nails-----	4 90
H. B. Wood, for labor-----	10 00
E. F. Gallagher, for nails-----	5 00
L., C. & L. R. R., for freight-----	1 90
S. J. Hobbs, for superintending -----	200 00
George W. Creighton, for pipes, &c.-----	382 50
H. J. Lewis & Bro., for frames, &c. -----	67 85
B. E. Mulford, for freight bill-----	64 65
Robert Biggs, for galvanized iron, &c.-----	227 84
W. Hughes, which he paid out as per vouchers filed-----	2,622 05
	<hr/>
	\$12,713 90
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I also, under the same resolution, supplied six thousand dollars to furnish rooms for patients in the new apartments to the said Central Asylum, there being no part of the appropriation made for building the same left with which to furnish the same, and without such furnishing being supplied at the time it was done, patients could not have been received therein, and other provisions would, under said resolution, have been absolutely necessary. Before supplying this furnishing fund, however, the opinion of the Attorney General was taken, and accompanied my order on the Auditor for it. Vouchers showing the items of furnishing are also filed with the Auditor, and can be seen by any member of your honorable body.

Respectfully,

P. H. LESLIE.

Which reports were ordered to be printed, and referred to the Committee on Charitable Institutions.

The Speaker announced that Mr. Tyler was added to the Committee on Courts of Justice in place of Mr. Garnett, who was released from further service on said committee, and that Mr. Goodloe was added to the Committee on Education.

Mr. Cleveland read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky, That the two Houses of this General Assembly shall, on Tuesday, January 25, 1876, at the hour of 12 o'clock, M., proceed to elect a State Librarian.*

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Turner moved the following resolution, viz :

*Resolved, That the use of this chamber is hereby tendered, for the purpose of holding a meeting to promote fish culture, to-morrow, the 20th, at 3½ o'clock, P. M.*

Which was adopted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barker, from the Committee on Internal Improvement—

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Company.

By same—

An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company.

By Mr. Barker, from the Committee on the Judiciary—

An act to amend the charter of the town of Campbellsville, Taylor county.

By Mr. Barker, from the Committee on Internal Improvement—

An act to incorporate the Sandy Point Gravel Road Company, in McCracken county.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the Committee on Internal Improvement, which had been directed to prepare and bring in the same, viz :

By Mr. Barker—

A bill to amend an act, entitled “An act to change the line dividing Logan and Simpson counties,” approved January 14, 1869.

By same—

A bill to amend an act to amend the charter of the Concord and Tollsboro Turnpike Road Company, approved December 23, 1873.

By same—

A bill for the benefit of the Bardstown and Louisville Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Claims, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution to pay officers and attaches of the General Assembly their per diem,

Reported the same, with the expression of opinion that said resolution should be concurred in.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	G. W. Swoope,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—33.
Joseph Gardner,		

In the negative—none.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of the Chief Clerks, Assistant Clerks, Sergeants-at-Arms, Door-keepers, Enrolling Clerks, and for the benefit of the attaches of the present General Assembly, for their per diem respectively as the same may become due: *Provided,* Such per diem shall not exceed two thirds allowed the officers and attaches of the last session of the General Assembly, and shall be drawn on the certificate of the Chief Clerks of the respective Houses. This resolution shall take effect from its passage.

The Senate, according to order, took up for consideration

A bill to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

*Ordered,* That the further consideration of said bill be postponed till Friday, the 21st inst., at 11 o'clock, A. M.

Leave was given to bring in the following bills, viz :

On motion of Mr. Read—

1. A bill to provide for the paying of Commonwealth's witnesses in criminal cases by the trustee of the jury fund.

On motion of Mr. Ewing—

2. A bill for the benefit of J. J. Nesbitt, executor of Wm. Richards, deceased.

On motion of same—

3. A bill to amend the charter of the town of Sharpsburg, in Bath county, approved 13th January, 1874.



On motion of Mr. Stanley—

4. A bill to amend an act, entitled "An act to incorporate the Henderson Building and Loan Association."

On motion of same—

5. A bill for the benefit of the sufferers in the flooded districts of Kentucky, whose crops were totally destroyed in the year 1875.

On motion of Mr. Culbertson—

6. A bill for the benefit of Mrs. Jane Thompson, of Boyd county.

On motion of Mr. Cleveland—

7. A bill to protect the general estate of married women.

On motion of Mr. Garnett—

8. A bill for the benefit of the jailer of Trigg county.

On motion of same—

9. A bill for the benefit of J. B. and W. M. Combs, of Breathitt county.

On motion of Mr. Cleveland—

10. A bill to amend the charter of the city of Augusta.

On motion of Mr. Lindsay—

11. A bill for the benefit of Farmer Rees, of Owen county.

On motion of Mr. Walton—

12. A bill to amend section 7, article 7, chapter 18, General Statutes.

On motion of Mr. Turner—

13. A bill to amend chapter 850 of the laws of Kentucky, entitled "An act for the benefit of keepers of licensed stud-horses, jacks, and bulls."

On motion of Mr. J. W. Hays—

14. A bill to amend the charter of the Louisville and Nashville Railroad Company.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on Claims the 2d and 11th; the Committee on the Judiciary the 3d, 4th, 9th, and 14th; the Committee on Propositions and Grievances the 5th; the Committee on Finance the 6th; the Committee on General Statutes and Codes of Practice the 7th, 10th, and 13th; the Committee on Appropriations the 8th, and the Committee on Education the 12th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to continue in force an act, entitled "An act for the benefit of the administrators of William Simpson, late clerk of the Wayne circuit and county courts ;"

An act to change the time of holding the court of claims of Meade county ;

An act to repeal an act, entitled "An act for the benefit of the county judge of Henry county," approved March 27th, 1872 ;

An act to regulate the time of holding justices' courts in the cities of Newport and Covington, and in the county of Jefferson, outside city limits of Louisville ;

An act to amend an act, entitled "An act to authorize the Christian county court to issue bonds for the purpose of building a courthouse, and to establish a sinking fund to liquidate the payment of said bonds," approved February 13th, 1861 ;

And an enrolled bill and resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of L. J. Wise, jailer of Ohio county ;

Resolution directing the Public Printer to print 300 copies of Codes of Practice, as reported by Commissioners ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the Committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker having vacated the chair, and Mr. J. W. Hays being called to and taking the same, the subject-matter under consideration being

A bill to amend article 12 of chapter 33 of General Statutes, entitled "Elections."

After a time spent in consideration thereof, the committee rose, the Speaker of the Senate resumed the chair, and the chairman of the committee reported that the committee had had the matter aforesaid under consideration, and had made some progress therein, but not having time to complete its consideration on this day, had risen, and directed him to report these facts to the Senate, and ask leave to sit again to-morrow, at 11 o'clock, A. M.

Which was granted.

And then the Senate adjourned.

## THURSDAY, JANUARY 20, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill and a resolution, which originated in the House of Representatives, entitled

An act to incorporate the Falmouth Deposit Bank.

Resolution providing for the appointment of a joint special committee on the report of the Commissioners on Codes of Practice.

That they had passed a bill and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled " An act to change the line dividing Logan and Simpson counties," approved January 14, 1869.

Resolution fixing the time for the election of a State Librarian.

That they had passed bills of the following titles, viz :

1. An act for the benefit of C. W. Thompson, of Metcalfe county.

2. An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of J. P. Nuckols, of Barren county.

3. An act to incorporate the town of Newville, located in parts of Daviess, McLean, and Ohio counties.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Courts of Justice, and the 3d to the Committee on the Judiciary.

The Speaker announced the appointment of the following committee on the report of the Commissioners to revise the Codes of Practice, viz : Sumner Marble, F. L. Cleveland, T. W. Varnon, Jas. B. Garnett, and H. F. Finley.

A message was also received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to prevent the destruction of fish in Lewis, Daviess, and McLean counties.

An act for the benefit of L. J. Wise, late jailer of Ohio county.

Resolution directing the Public Printer to print 300 copies of the Codes of Practice as reported by Commissioners.

The following petitions were presented, viz :

By Mr. J. W. Hays—

1. Petition of Mary E. Payne and attorney, praying the passage of a bill for their benefit.

By Mr. Gardner—

2. Petition for the benefit of Wm. A. Tutt, of Wolfe county.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on the Judiciary, and the 2d to the Committee on Religion and Morals.

Mr. Varnon read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the joint committee on Codes of Practice are authorized to appoint a clerk to keep a record of their proceedings, and the Librarian is directed to furnish the clerk of said committee with a suitable book and other stationery for his use, upon the requisition of the chairman.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Varnon read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That one of the Commissioners appointed to revise the Codes of Practice shall attend the sittings of the joint committee to whom the report of said Commissioners has been referred, and that he be allowed therefor the same per diem as is allowed by the law under which they were appointed.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Tyler read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor, D. Howard Smith, be, and is hereby, required to



report to this House what fees and perquisites of his office he received during the year 1875, in excess of his annual salary, and from what source derived.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, to whom had been referred a resolution, which originated in the House of Representatives, entitled

Resolution to appoint a joint committee to investigate records of Land Office,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to amend the charter of the DeCoursey Station, Taylor Road, and Bank Lick Short Line Turnpike Road Company.

By Mr. Culbertson, from the Committee on Internal Improvement—

A bill relating to the Christian County and Clarksville Turnpike Road Company.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to amend the charter of the Louisville and Nashville Railroad Company, and increase the directors thereof to eleven.

By same—

A bill to fix the terms and regulate the jurisdiction and proceedings of the Henderson court of common pleas.

By Mr. Barker, from the Committee on the Judiciary.

A bill to amend an act incorporating the Walnut Street Christian Church of Louisville, approved February 19, 1848.

By Mr. Tyler, from the Committee on the Judiciary.

A bill to limit the jurisdiction and terms of the Henderson circuit court.

By same—

A bill for the benefit of the sheriff and jailer of Gallatin county.

By Mr. Cunningham, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to amend the charter of the town of Sharpsburg, in Bath county," approved January 13, 1874.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill for the benefit of circuit court clerks of this Commonwealth.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the last named bill was ordered to be printed and made the special order of the day for Friday, January 28th, at 11 o'clock, A. M., and the others were ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tyler, from the Committee on the Judiciary, reported

A bill to amend an act to amend and reduce into one the several acts in regard to the town of Catlettsburg.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, It is represented to this General Assembly that the board of trustees of the town of Catlettsburg has heretofore passed an ordinance, to the effect that all steamboats and other crafts shall land at the public landing between Main and Division streets of said town, and at no other point within the incorporate limits of said town, except by the written consent of the wharfmaster of said town; and for any violation of the same, the owners, controllers, or masters of any boat so violating shall be jointly and severally liable to pay a fine of ten (\$10) dollars for each offense, which may be recovered by warrant in any court having jurisdiction of the same; and in order that the power of said trustees to pass such ordinances may be tested,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act to amend and reduce into one the several acts in regard to the town of Catlettsburg, approved January 28, 1868, be, and the same is, amended, that hereafter, from all judgments rendered by the police judge of the town of Catlettsburg, or any other court, in regard to the landing of any steamboat or other craft within the incorporated limits of the town of Catlettsburg, either upon the Ohio river or the Big Sandy river, in violation of any ordinance of said board now in force, or may hereafter be enacted, fixing a penalty against the owners or controllers or other person for the landing, within said corporate limits as aforesaid, other than at the public landing between Main and Division streets, that either party, plaintiff

or defendant, to such proceedings, shall have a right to an appeal from said judgment to the circuit court of Boyd county, and from thence to the Court of Appeals, and from any judgment of the circuit court to the Court of Appeals, without regard to the amount of the judgment or the amount in controversy, under the same rules and regulations in regard to appeals as now provided by law from said courts.

§ 2. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	James W. Hays,	E. W. Turner,
Scott Brown,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	B. W. S. Huffaker,	Thos. W. Varnon,
W. W. Culbertson,	John Hyden,	W. L. Vories,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton,
P. F. Edwards,	J. R. Leslie,	George Wright—32.
Andrew J. Ewing,	R. B. Lovel,	

In the negative—G. W. Swoope—1.

*Resolved*, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Brown, from the Committee on Internal Improvement—

An act to amend the charter of the Mayslick and Helena Turnpike Road Company, in Mason county.

By same—

An act to authorize the Helena Turnpike Road to relinquish a part of its road to the Mayslick and Helena Turnpike Road.

By same—

An act to amend the charter of the White Oak Turnpike Road Company, in Bath county.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act to revive to the Paducah, Benton, and Murray Gravel Road Company the franchises granted it by an act approved December 16, 1871.

By Mr. Culbertson, from the Committee on Internal Improvement—  
An act to amend the charter of the Hills City Turnpike Road Company.

By same—

An act for the benefit of the Cabin Creek Turnpike Road Company, Lewis county.

By same—

An act to amend an act incorporating the Kiddville Turnpike Company.

By Mr. Garnett, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the Broadway Baptist Church of Louisville," approved March 25th, 1872.

By Mr. Tyler, from the Committee on the Judiciary—

\* An act to repeal an act, entitled "An act to incorporate a police municipality in Jefferson county," approved 11th February, 1874.

By same—

An act to repeal an act, entitled "An act to apply the provisions of an act, entitled 'An act to incorporate a municipality in Jefferson county' to certain other precincts," approved February 23, 1874, and styled chapter 566.

By Mr. Goodloe, from the Committee on the Judiciary—

An act to increase the jurisdiction of the police judge of Caseyville, Union county.

By same—

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

By Mr. Cunningham, from the Committee on the Judiciary—

An act to incorporate Harrodsburg Library Association.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the Committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz :

An act for the benefit of common schools in Paducah ;



And bills, which originated in the Senate, of the following titles, viz :

An act to prevent the destruction of fish in Lewis, Daviess, and McLean counties ;

An act for the benefit of John M. Johnson, late sheriff of Henderson county ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz :

On motion of Mr. Ewing—

1. A bill to amend the charter of the town of Grayson, in Carter county.

On motion of Mr. Vories—

2. A bill to repeal an act, entitled “An act to amend section 6 of chapter 30, General Statutes.”

On motion of same—

3. A bill to amend the charter of Lagrange, in Oldham county.

On motion of Mr. Tyler—

4. A bill to amend section 19 of chapter 538 of Session Acts of 1869-'70, entitled “An act to establish an Insurance Bureau,” approved March 10, 1870.

On motion of Mr. Cunningham—

5. A bill for the benefit of W. J. Salyer, collector of railroad tax in Montgomery county.

On motion of Mr. Barbour—

6. A bill to amend the law establishing the office of sealer of weights and measures in Jefferson county.

On motion of same—

7. A bill to amend the charter of the Louisville, Harrod's Creek, and Westport Railway Company.

On motion of Mr. Lindsay—

8. A bill to give the sheriff of Gallatin county until the third Monday in February to execute bond for the collection of revenue.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st, 6th, and 8th; the Committee on General Statutes and Codes of Practice the 2d; the Committee on the Judiciary the 3d and 5th; the Committee on Banks and Insurance the 4th, and the Committee on Railroads the 7th.

The hour of 11 o'clock, A. M., having arrived, the Senate, according to order, on motion, again resolved itself into a Committee of the Whole on the state of the Commonwealth, the Speaker having retired from and Mr. J. W. Hays being called to and taking the chair, and took up for consideration a bill, entitled

A bill to amend article 12 of chapter 33 of the General Statutes, entitled "Elections."

After a time spent in the consideration thereof, the committee rose, the Speaker resumed the chair, and Mr. J. W. Hays, the chairman, reported that the committee had had under consideration

A bill to amend article 12 of chapter 33 of the General Statutes, entitled "Elections,"

And after proceeding with the consideration of the same for a time, discussion being had thereon, had directed him to report said bill back to the Senate, with amendments.

*Ordered*, That the further consideration of said bill and amendments be postponed until to-morrow at 11 o'clock, A. M.

And then the Senate adjourned.

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FRIDAY, JANUARY 21, 1876.

A message was received from the House of Representatives, announcing that they had passed bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to incorporate the South Covington and Cincinnati Street Railway Company.

An act for the benefit of constables of Jefferson county.

Resolution authorizing the erection of a monument over the grave of the Hon. John L. Helm, formerly Governor of this Commonwealth.

That they had passed bills of the following titles, viz :

1. An act for the benefit of Daniel McColum, jr., appropriating him two hundred and thirty-three dollars and thirty-three cents.

2. An act to prohibit the sale of spirituous or malt liquors in the Sardis precinct, Mason county.

3. An act to repeal an act, entitled "An act to regulate sales made under decrees of the Barren circuit court," approved January 13, 1872.

4. An act for the benefit of the clerk of the Muhlenburg circuit court.

5. An act to regulate the holding of circuit courts in the sixteenth judicial district.

6. An act for the benefit of school district No. 51, in Greenup county.

7. An act for the benefit of A. B. McGuire, of Owsley county.

8. An act to authorize the assessor of Jackson county to appoint a deputy assessor.

9. An act for the benefit of Wm. Williams, late county and circuit court clerk for Owsley county.

10. An act for the benefit of Sylvester Isaacs, late judge for Owsley county.

11. An act to legalize certain orders of the Gallatin county court of claims.

12. An act for the benefit of the town marshal of Monterey, in Owen county.

13. An act to legalize certain acts of the Mercer county court.

14. An act to prevent trespass in certain counties of this Commonwealth.

15. An act to change the time of holding the circuit courts in the thirteenth judicial district.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Claims; the 2d and 3d to the Committee on Religion and Morals; the 4th, 5th, 7th, 8th, 9th, 10th, 11th, 12th, and 13th to the Committee on Courts of Justice; the 6th to the Committee on Education; the 14th to the Committee on General Statutes and Codes of Practice, and the 15th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. R. G. Hays—

1. A bill requiring itinerant photographers, or their agents, who are non-residents of the State, to obtain a license for the privilege of plying their avocation, and for other purposes.

On motion of same—

2. A bill for the benefit of James C. Mulholland.

On motion of Mr. Ewing—

3. A bill to establish a bank of deposit in the town of Grayson, Carter county.

On motion of Mr. Tyler—

4. A bill for the benefit of Samuel Orr, of Graves county.

On motion of Mr. Goodloe—

5. A bill to incorporate the bank of J. B. Wilgus & Co., of Lexington.

On motion of same—

6. A bill to incorporate the People's Gas-light Company, of Lexington.

On motion of Mr. Cleveland—

7. A bill to amend section 4, article 7, chapter 28, of the General Statutes.

On motion of Mr. Vories—

8. A bill to amend the charter of the Pleasureville, Bethlehem, and Kentucky River Turnpike Road Company.

On motion of Mr. Barker—

9. A bill to repeal an act passed February 21, 1874, amending an act reducing into one the several acts in relation to the town of Taylorsville, Spencer county.

On motion of same—

10. A bill to amend the charter of the Louisville Turnpike Company.

On motion of Mr. Pendleton—

11. A bill authorizing the directors of the Hopkinsville Lunatic Asylum to insure it.



On motion of Mr. Berry—

12. A bill to authorize the judge of the Ohio county court to reduce the number of justices' districts in said county.

On motion of Mr. Varnon—

13. A bill for the benefit of W. G. Saunders, late sheriff of Lincoln county.

On motion of same—

14. A bill for the benefit of W. B. Withers, sheriff of Lincoln county.

*Ordered*, That the Committee on Finance prepare and bring in the 1st, 2d, 13th, and 14th; the Committee on Banks and Insurance the 3d and 5th; the Committee on Claims the 4th; the Committee on the Judiciary the 6th; the Committee on General Statutes and Codes of Practice the 7th and 9th; the Committee on Internal Improvement the 8th and 10th; the Committee on Charitable Institutions the 11th, and the Committee on Propositions and Grievances the 12th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Company;

An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company;

Resolution to pay officers and attaches of the General Assembly per diem;

And an enrolled bill and resolution, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to change the line dividing Logan and Simpson counties," approved January 14, 1869;

Resolution fixing the time for the election of a State Librarian;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Messrs. Turner, Walton, and Gardner were appointed a select committee on the subject of fish culture.

The Senate, according to order, took up for consideration

A bill to amend article 12 of chapter 33 of the General Statutes, entitled "Elections."

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That any person guilty of receiving a bribe for his vote at an election, or for his services or influence in procuring a vote or votes at an election, shall be adjudged guilty of felony, and, on conviction thereof, shall be punished by confinement in the penitentiary for a period of time not less than one nor more than two years.

§ 2. Any resident of another State or county who shall vote at an election; any person who shall vote more than once at an election; any person who shall vote by means of false personation or use of the naturalization papers of another person, dead or living; and any person who shall lend or hire his or another's naturalization papers for such purpose, shall be adjudged guilty of felony, and, on conviction thereof, shall be punished by confinement in the penitentiary for a period of time not less than one nor more than three years.

§ 3. Whoever shall bribe another by promising or agreeing to pay or reward another for his vote, or who, after the vote has been given, shall knowingly pay or reward the voter for having given it in such manner, shall be adjudged guilty of felony, and, on conviction thereof, shall be punished by confinement in the penitentiary for a period of time not less than two nor more than five years.

§ 4. In cases of the foregoing nature it shall be no exemption for a witness that his testimony may criminate himself; for no such testimony given by the witness shall be used against him in any prosecution except for perjury; and he shall be discharged from all liability for any act of the foregoing nature necessarily disclosed or made known by his testimony; and the person against whom he testifies shall not be received to prove any act of the aforesaid nature committed theretofore by such witness.

§ 5. All previous legislation that may be in conflict with this act is hereby repealed.

§ 6. This act shall take effect from and after its passage.

The question was first on the amendment proposed in Committee of the Whole by Mr. Wright.

Said amendment reads as follows, viz :

In section two, line eight, strike out the word "three" and insert in lieu thereof the word "two."

Which was adopted.

The question was then taken on the amendment proposed in Committee of the Whole by Mr. Barker.

Said amendment reads as follows, viz :

In section two, line one, after the word "county," insert the words "or voting district or ward."

Which was adopted.

The question was then taken on the amendment proposed in Committee of the Whole by Mr. Marble.

Said amendment reads as follows, viz :

In section two, line one, after the word "shall" and before the word "vote," insert the words "knowingly and willfully fraudulently."

Which was adopted.

The question was then taken on the amendment proposed in Committee of the Whole by Mr. Cunningham.

Said amendment reads as follows, viz :

In section three, line 1, strike out all after the word "another" down to and including the word "and," in the fourth line of said section.

Which was adopted.

The question was then taken on the amendment proposed in Committee of the Whole by Mr. Wright to the third section of the bill.

Said amendment reads as follows, viz :

Amend the third section of the bill by striking out the word "two" and inserting the word "one" in the fifth line, and by striking out the word "five" and inserting the word "three" in the sixth line of said section.

Which was adopted.

The question was then taken on the amendment proposed by Mr. Tyler in Committee of the Whole.

Said amendment reads as follows, viz :

"Strike out the fourth section of the bill."

Which was adopted.

The question was then taken on the amendment proposed by the Lieutenant Governor in Committee of the Whole.

Said amendment reads as follows, viz :

Insert in lieu of the fourth section stricken out the following: "That section sixteen of said article and chapter be amended by adding the following: 'And all said officers who shall knowingly and willfully neglect or fail to discharge the duty prescribed by this section, on conviction, shall be fined not less than one hundred dollars nor more than five hundred dollars.'"

Which was adopted.

Mr. Briggs then moved to strike out the enacting clause of said bill.

Pending the consideration of which motion, Mr. Swoope moved a call of the Senate.

And the question being taken, "Shall a call of the Senate be now ordered?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	George B. Hodge,	G. W. Swoope,
James Blackburn,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton—23.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	R. B. Lovel,
Scott Brown,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
P. F. Edwards,	B. W. S. Huffaker,	George Wright—12.

The roll of the Senate was then called, and the following Senators responded to the call of their names :

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	R. B. Lovel,	George Wright—36.

Mr. Swoope then moved to dispense with further proceedings under the call.

Which motion was adopted.

The question was then taken on the motion made by Mr. Briggs to strike out the enacting clause of the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	G. W. Swoope,
Wm. J. Berry,	Duncan Harding,	E. W. Turner,
Robert A. Briggs,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon—14.
James B. Garnett,	P. A. Lyon,	



Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Sumner Marble,
James Blackburn,	R. G. Hays,	C. N. Pendleton,
Scott Brown,	B. W. S. Huffaker,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—22.
Joseph Gardner,		

Mr. Swoope then moved to commit said bill to the Committee on General Statutes.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Swoope then moved that said bill, as amended, be printed, and that the further consideration thereof be postponed and made the special order of the day for Monday next, the 24th inst., at 11 o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	George B. Hodge,
Wm. J. Berry,	James B. Garnett,	C. N. Pendleton,
Scott Brown,	Wm. Cassius Goodloe,	G. W. Swoope,
W. W. Culbertson,	R. G. Hays,	Thos. W. Varnon—12.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Sumner Marble,
James Blackburn,	B. W. S. Huffaker,	Robert Simmons,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Duncan Harding,	P. A. Lyon,	George Wright—24.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was then read a third time.

Mr. Cleveland moved to dispense with the rule of the Senate in order to put said bill on its passage.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	P. A. Lyon,	George Wright—23.
Joseph Gardner,	Sumner Marble,	

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	John Hyden,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
Scott Brown,	James W. Hays,	G. W. Swoope,
W. W. Culbertson,	Geo. B. Hodge,	H. A. Tyler—12.

Not having received the required four fifths majority.

The Senate, according to order, took up for consideration

A bill to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

*Ordered*, That the further consideration of said bill be postponed till to-morrow at 12 o'clock.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Berry, from the Committee on Propositions and Grievances—

1. An act for the benefit of John Coleman, of Pike county.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

2. An act to amend section 2, article 1, chapter 28, of the General Statutes.

By same—

3. An act to amend chapter 52 of the General Statutes, entitled "Husband and Wife."

By same—

4. An act to amend section 8 of article 7 of chapter 18 of General Statutes.

By same—

5. An act to amend subsection 2, section 1, article 4, chapter 63, General Statutes.

*Ordered*, That the 3d be placed in the orders of the day ; the 4th be committed to the Committee on Education, and the others be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Edwards, from the Committee on Propositions and Grievances—

1. A bill for the benefit of R. W. Dickerson.

By same—

2. A bill for the benefit of R. H. Morrow, sheriff of Gallatin county.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

3. A bill to amend section 651 of the Civil Code of Practice.

By same—

4. A bill to amend an act, entitled "An act for the benefit of licensed stud-horses, jacks, and bulls."

By Mr. R. G. Hays, from the Committee on Railroads—

5. A bill to amend an act, entitled "An act to incorporate the Westport, Carrollton, and Ghent Railway Company."

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

6. A bill to amend an act, entitled "An act to amend chapter 28 of the Revised Statutes, title ' Crimes and Punishments.' "

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the 3d was placed in the orders of the day ; the 6th was ordered to be printed and placed in the orders of the day, and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Edwards, from the Committee on Propositions and Grievances, reported

A bill to relieve the sheriff of Allen county from collecting railroad tax and other purposes.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the sheriff of Allen county shall not be required to give bond for the collection of any levy or tax in said county for the purpose of paying the principal or interest on the county bonds of said county issued for railroad purposes, and shall not be held responsible on his official bond for the same.

§ 2. That the county court shall, at the instance or motion of any person, or by request, appoint a special collector to collect all taxes or levies in said county for railroad purposes, and shall require bond, with security to be approved by the court, for the faithful discharge of all duties incumbent on him.

§ 3. All laws in conflict with this act are hereby repealed.

§ 4. This act to take effect from its passage.

Mr. Barker moved to postpone the further consideration of said bill, and make it the special order for Friday, the 27th inst., at 10½ o'clock, A. M.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	R. B. Lovel,	Thos. W. Varnon,
W. A. Cunningham,	P. A. Lyon,	W. L. Vories—18.

Those who voted in the negative, were—

Wm. J. Berry,	Duncan Harding,	D. H. Lindsay,
Robert A. Briggs,	R. G. Hays,	G. W. Swoope,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—16.
Joseph Gardner,		

And then the Senate adjourned.



## SATURDAY, JANUARY 22, 1876.

The following petitions were presented, viz :

By Mr. Ewing—

1. Petition of Stephen Nethercutt, late sheriff of Carter county.

By Mr. Turner—

2. Petition for the benefit of Thomas J. Cornelison.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d to the Committee on Claims.

Leave was given to bring in the following bills, viz :

On motion of Mr. Turner—

1. A bill for the benefit of Thomas J. Cornelison, jr., of Madison county.

On motion of Mr. Hyden—

2. A bill to authorize the court of claims of Clay county to sell the poor-house farm in Clay county.

On motion of Mr. Barker—

3. A bill to amend section 33, article 1, chapter 39, of the General Statutes.

On motion of Mr. J. W. Hays—

4. A bill to amend the charter of Elizabethtown, in Hardin county.

On motion of same—

5. A bill to amend the law in regard to county attorneys.

On motion of same—

6. A bill to amend the mechanics' lien laws of this Commonwealth.

On motion of Mr. Tyler—

7. A bill to repeal sections 3, 5, 7, and 8 of an act, entitled "An act to amend chapter 92, title 'Revenue and Taxation,' of General Statutes."

On motion of Mr. Lindsay—

8. A bill for the benefit of John Wallace, late clerk of Boone circuit court.

On motion of Mr. Edwards—

9. A bill to change the mode of trial by jury in Edmonson county, and to provide for the pay of the same.

On motion of Mr. Walton—

10. A bill to provide for working roads in Hart county.

*Ordered*, That the Committee on Claims prepare and bring in the 1st; the Committee on Courts of Justice the 2d and 8th; the Committee on General Statutes and Codes of Practice the 3d, 5th, 6th, and 9th; the Committee on Judiciary the 4th; the Committee on Finance the 7th, and the Committee on Internal Improvement the 10th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Sandy Point Gravel Road Company, in McCracken county;

An act to amend the charter of the town of Campbellsville, Taylor county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee, to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed an enrolled bill and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled "An act to change the line dividing Logan and Simpson counties," approved January 14, 1869.

Resolution fixing the day for the election of a State Librarian.

On motion of Mr. Garnett, leave of absence, indefinitely, was granted Mr. Berry.

On motion of Mr. Briggs, leave of absence, indefinitely, was granted the Speaker (Mr. Underwood), and Messrs. J. W. Hays and Barbour.

Mr. Lindsay read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That Rev. L. B. Woolfolk be, and he is hereby, invited to deliver a

lecture before the members of this General Assembly, on meteorology, at his earliest convenience.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The several committees to whom had been referred leave to bring in bills of the following titles, viz :

By Mr. Barker, from the Committee on the Judiciary.

A bill to amend chapter 84 of the General Statutes ;

By Mr. Swoope, from the Committee on the Judiciary—

A bill to amend chapter 7 of the General Statutes ;

By same—

A bill to amend the charter of the town of Foster, in Bracken county ;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Mr. Edwards read and laid on the table a joint resolution, entitled Resolution directing the appointment of a committee to visit the charitable institutions.

Which, under the rule, lies one day on the table.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barker, from the Committee on the Judiciary—

An act to amend section 7, article 2, chapter 92, of the General Statutes.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act for the sale of Mount Horeb Parsonage.

By Mr. Varnon, from the Committee on General Statutes and Codes of Practice—

An act to amend article 11, chapter 91, of the General Statutes, title "Revenue and Taxation."

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid, except that of the last named bill, which is amended so as to read,

An act to amend article 11, chapter 92, of the General Statutes, title "Revenue and Taxation."

The Senate, according to order, took up for consideration a Resolution directing our Senators and requesting our Representatives in Congress to vote in aid of the Texas Pacific Railroad.

*Ordered*, That the further consideration of said resolution be postponed till Wednesday next, the 26th inst., at 10½ o'clock, A. M.

The Senate, according to order, took up for consideration

A bill to provide for the representation of Kentucky resources and industries at the American Centennial exhibition at Philadelphia, beginning May 10th, 1876.

Said bill reads as follows, viz :

WHEREAS, It has been deemed fitting that the completion of the first century of the free and independent existence of the United States of America among the nations of the earth, carrying with it the promise of perpetuity of free government by the people, shall be commemorated by an exhibition to the world of our great natural, agricultural, and mineral resources, and of our incomparable growth and progress, under a republican form of government, in those arts which benefit mankind ; and whereas, no place is so appropriate for such an exhibition of our wealth and progress as the city from which was promulgated that Declaration of Freedom which it is designed to commemorate ; and whereas, our sister States of the Union have already cordially united with moral and material aid to contribute to the achievement of this great event of peace, and to display to the visiting nations their respective resources ; and whereas, all the leading peoples on the globe, in Europe, Asia, Africa, and in this hemisphere, have signified their intention to accept our invitation, and to vie with us in this Centennial exhibition ; and whereas, it is fitting that Kentucky should not ignore this occasion for participating in the fraternal celebration of our common independence, nor should not neglect the opportunity thus presented of showing to the world her own unequaled capacity of soil and climate, her unbounded wealth and variety of useful minerals, her incomparable pastoral and agricultural productions, and her high standing in mechanical and scientific pursuits, and of thereby inviting the attention of the visiting peoples to these symbols of material prosperity ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of thirty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be drawn and used as hereinafter provided.

§ 2. That a centennial advisory board, to consist of two members from each Congressional district, shall be appointed by the Governor, any five of whom shall constitute a quorum for all purposes ; and that said advisory board shall first meet at such time and place as shall be designated by the Governor, and afterwards at such times and places as they shall agree upon. They shall elect one of their number as president, and shall appoint a secretary who shall also be treasurer: *Provided*, That no compensation or personal expenses shall be paid to any of the members of said advisory board.



§ 3. It shall be the duty of said advisory board to confer with the centennial commissioner for Kentucky, appointed by the President of the United States, who shall, *ex-officio*, be an additional member of said board, and to stimulate and promote in their respective districts the furnishing of articles suitable for said exhibition, and to select and decide what articles so presented to them shall be displayed at said exhibition, and to provide, so far as may be necessary, for the forwarding to said exhibition of such articles so selected by them, and for their proper display and protection while there, and for their return, if unsold, to their respective owners.

§ 4. For the purposes mentioned in the next preceding paragraph, any sum or sums, not to exceed in whole the said sum of thirty thousand dollars hereby appropriated, shall be paid by the Treasurer of the State to the secretary of said advisory board upon the warrant or warrants of the State Auditor, which warrant or warrants shall be drawn by the Auditor upon requisition signed by the president of said advisory board and the secretary thereof.

§ 5. No money shall be applied by the said advisory board except by a vote of a majority present at any meeting, which vote shall be entered upon a record of its proceedings, and an itemized account of all payments and expenditures by said board shall be kept by its secretary and returned monthly, on the 4th day of each month, to the Auditor, by the secretary and president; and the powers and duties of said board shall cease and determine on the 1st day of December, 1876; and, within seven days thereafter, all money in the hands of said board shall be paid by its treasurer to the Treasurer of the State.

§ 6. This act shall take effect from and after its passage.

Mr. Gardner proposed to amend said bill by striking out the words "thirty thousand dollars," in line one of the first section, and insert in lieu thereof the words "ten thousand dollars."

Pending the consideration of which amendment, Mr. Tyler moved that said bill be placed in the orders of the day.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	R. B. Lovel,
Thos. J. Barker,	James W. Hays,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
Joseph Gardner,	D. H. Lindsay,	H. A. Tyler—21.

Those who voted in the negative, were—

F. L. Cleveland,	Duncan Harding,	Thos. W. Varnon,
W. A. Cunningham,	B. W. S. Huffaker,	C. J. Walton,
P. F. Edwards,	C. N. Pendleton,	George Wright—9.

The Senate, according to order, took up for consideration an engrossed bill, entitled

A bill to amend article 12 of chapter 33 of the General Statutes, entitled "Elections."

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Walton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	B. W. S. Huffaker,	Sumner Marble,
James Blackburn,	S. H. Jenkins,	C. N. Pendleton,
F. L. Cleveland,	J. R. Leslie,	Robert Simmons,
P. F. Edwards,	D. H. Lindsay,	J. H. Stanley,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—19.
R. G. Hays,		

Those who voted in the negative, were—

Thos. J. Barker,	Duncan Harding,	G. W. Swoope,
Robert A. Briggs,	James W. Hays,	E. W. Turner,
Scott Brown,	George B. Hodge,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon—13.
James B. Garnett,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Wright then moved to reconsider the vote by which the Senate had passed said bill.

Mr. Huffaker moved to lay said motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

Mr. Barker, from the Committee on General Statutes and Codes of Practice, reported

A bill to amend section 33 of article 2 of chapter 39 of the General Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 33 of article 2 of chapter 39 of the General Statutes be amended by adding after the word "the," in the second line of said section, the following, to-wit: "Necessary expenses of the last sickness and."

§ 2. This act shall take effect and be in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	D. H. Lindsay,	G. W. Swoope,
Andrew J. Ewing,	P. A. Lyon,	E. W. Turner,
Joseph Gardner,	Sumner Marble,	Thos. W. Varnon—14.
George B. Hodge,	Robert Simmons,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	J. R. Leslie,
James Blackburn,	Duncan Harding,	R. B. Lovel,
Robert A. Briggs,	James W. Hays,	C. N. Pendleton,
Scott Brown,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	B. W. S. Huffaker,	C. J. Walton,
P. F. Edwards,	John Hyden,	George Wright—18.

So said bill was rejected.

Mr. Cleveland then moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

Mr. Tyler, from the Committee on the Judiciary, to whom was referred

A bill to amend the charter of the Kentucky Central Railroad,

Reported the same, and moved that said bill be committed to the Committee on Railroads.

Which motion was adopted.

Mr. Hodge, from the Committee on Railroads, reported

A bill to incorporate the Maysville and Lexington Railroad Company, Northern Division.

*Ordered*, That the further consideration of said bill be postponed till Monday next, the 24th inst.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cunningham, from the Committee on the Judiciary—

1. A bill to empower W. J. Salyer, collector of railroad tax in Montgomery county, to proceed to the collection of said tax by himself or deputy.

By Mr. J. W. Hays, from the Committee on the Judiciary—

2. A bill for the benefit of Hardin county.

By Mr. Cleveland, from the Committee on Appropriations—

3. A bill to provide for continuing the Geological and other surveys of the State of Kentucky.

By Mr. Barker, from the Committee on the Judiciary—

4. A bill extending the time for the payment of revenue and county levy of Clay county for the year 1875.

By same—

5. A bill to amend an act, entitled "An act incorporating Clay-village, in Shelby county."

By same—

6. A bill to regulate coffee-houses and saloons in this Commonwealth.

By Mr. Varnon, from the Committee on General Statutes and Codes of Practice—

7. A bill to amend an act, entitled "An act to amend article 1, chapter 59, of the General Statutes," and to repeal an act, entitled "An act to regulate the sale and storage of oils made from coal, petroleum, and other bituminous substances, and for the better protection of life and property," approved March 21st, 1870, and the acts amendatory thereto, severally approved February 24th, 1873, and March 8th, 1873, and further regulate the inspection and gauging burning fluids, approved February 21st, 1874.

By same—

8. A bill to protect the general estates of married women.

By same—

9. A bill to amend an act, approved March 20, 1873, entitled "An act to amend the law in reference to peddlers."

By same—

10. A bill to amend section 1, article 16, chapter 41, title "Fees," of the General Statutes.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

11. A bill to incorporate the United Baptist Church, Brooksville, Bracken county.



By same—

12. A bill to amend an act, approved March 19, 1873, entitled "An act to incorporate the Pomeroy Coal Company."

By Mr. Lindsay, from the Committee on Religion and Morals—

13. A bill to amend an act, entitled "An act to incorporate Jerusalem Lodge, No. 9, Ancient York Masons, of Henderson," approved January 9, 1868.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the 3d was ordered to be printed and made the special order of the day for Thursday next, the 27th inst., at 11 o'clock, A. M.; the 6th and 8th were ordered to be printed and placed in the orders of the day; the 10th was recommitted to the Committee on General Statutes and Codes of Practice, and the others were ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, reported

A bill to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways."

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

## MONDAY, JANUARY 24, 1876.

In the absence of the Lieutenant Governor, and at his request, the Senator from the 24th district (Hon. Robert Simmons) took the Chair.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to change the time of holding the court of claims for Meade county.

An act to continue in force an act, entitled "An act for the benefit of the administrators of William Simpson, late clerk of the Wayne circuit and county courts."

An act for the benefit of John M. Johnson, late sheriff of Henderson county.

An act to amend an act, entitled "An act to authorize the Christian county court to issue bonds for the purpose of building a courthouse, and to establish a sinking fund to liquidate the payment of said bonds," approved February 13th, 1861.

An act to repeal an act, entitled "An act for the benefit of the county judge of Henry county," approved March 27th, 1872.

An act to regulate the time of holding justices' courts in the cities of Newport and Covington, and in the county of Jefferson, outside city limits of Louisville.

An act for the benefit of common schools in Paducah.

An act to amend the charter of the Lebanon and Bradfordsville Turnpike Company.

An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company.

An act to amend the charter of the town of Campbellsville, Taylor county.

An act to incorporate the Sandy Point Gravel Road Company, in McCracken county.

Resolution to pay officers and attaches of the General Assembly their per diem.

That they had passed bills and concurred in the adoption of resolutions, which originated in the Senate, of the following titles, viz :

An act to fix the terms and regulate the jurisdiction and proceedings of the Henderson court of common pleas.

An act to limit the jurisdiction and terms of the Henderson circuit court.

Resolution authorizing joint committee on Codes of Practice to appoint a clerk.

Resolution providing for the attendance of one of the Commissioners at the sittings of the joint committee on revision of Codes.

Resolution in relation to the death of Gen. John C. Breckinridge.

That they had passed bills of the following titles, viz :

1. An act for the benefit of Thomas R. Hume and others, of Madison county.

2. An act for the benefit of the Louisville Daily Globe and Louisville Daily Commercial.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance, and the 2d to the Committee on Printing.

The following petition was presented, viz :

By Mr. Ewing—

Petition of citizens of Confederate City, Rowan county.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

Leave was given to bring in the following bills, viz :

On motion of Mr. Swoope—

1. A bill to amend section 13 of article 2 of chapter 66 of General Statutes, title "Landlord and Tenant."

On motion of Mr. Hodge—

2. A bill to amend the law creating the Insurance Bureau.

On motion of Mr. Gardner—

3. A bill for the benefit of John P. Salyer and Augustus Arnett.

On motion of Mr. Read—

4. A bill for the benefit of justices of the peace of this Commonwealth.

On motion of same—

5. A bill to create a lien upon steamboats in favor of material, supply men, mechanics, and laborers.

On motion of same—

6. A bill to equalize the fees of justices of the peace in this Commonwealth.

On motion of same—

7. A bill to increase the jurisdiction of justices of the peace in the city of Louisville and Jefferson county.

On motion of same—

8. A bill to incorporate Golden Lodge No. 1, Knights of Honor.

On motion of same—

9. A bill to incorporate the Jefferson County Mutual Insurance Company.

On motion of same—

10. A bill to incorporate Louisville Lodge No. 2, Knights of Honor.

On motion of Mr. Brown—

11. A bill to erect lightning conductors upon the State buildings in Frankfort.

On motion of Mr. Briggs—

12. A bill for the benefit of Jas. L. Webb, of Boyle county.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st and 5th; a special committee of Messrs. Hodge, Tyler, and Turner the 2d; the Committee on Finance the 3d, 8th, and 10th; the Committee on Courts of Justice the 6th and 7th; the Committee on Banks and Insurance the 9th, and the Committee on Propositions and Grievances the 12th.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Blackburn, from the Committee on Charitable Institutions—

A bill to incorporate the Mutual Benefit Association of the Western Virginia Conference of the Methodist Episcopal Church, South.

By Mr. Briggs, from the Committee on Claims—

A bill for the benefit of the jailer of Trigg county.

By Mr. Walton, from the Committee on Claims—

A bill for the benefit of Leonard Weitmeir, of Bracken county.

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill to change the road law in Robertson county.

By same—

A bill to amend the charter of the city of Hopkinsville.



By same—

A bill to allow the county court of Jessamine county to levy a special tax.

By Mr. Tyler, from the Committee on Courts of Justice—

A bill to authorize the jailer of Trigg county to appoint a deputy.

By Mr. Briggs, from the Committee on Claims—

A bill for the benefit of Charles G. Wintersmith, of Hardin county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time, except the last named bill, which was placed in the orders of the day.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration

A bill to incorporate the Maysville and Lexington Railroad Company, Northern Division.

Said bill reads as follows, viz :

WHEREAS, Henry Bell, Robert M. McLane, and Junius B. Alexander, as trustees, became the owners of the Maysville and Lexington Railroad, with the rights, titles, estate, interest, property, and franchises of the Maysville and Lexington Railroad Company, Northern Division, by virtue of a conveyance made to them by the Commissioner of the Circuit Court of the United States for the District of Kentucky, in pursuance of a sale made under a decree of said court, entered on the seventh day of July, 1875, in the suit in equity in said court, wherein Junius B. Alexander and others were complainants, and the Maysville and Lexington Railroad Company and others were defendants, which commissioner's deed, dated 11th day of December, 1875, has been duly recorded in the clerks' offices of the county courts of the counties of Mason, Fleming, Nicholas, and Bourbon, in the State of Kentucky; and whereas, said Bell, Alexander, and McLane, by deed dated 21st December, 1875, conveyed and granted to J. B. Anderson all the rights, titles, estate, interest, property, and franchises of said railroad company vested in them by the commissioner's deed aforesaid, whereby said J. B. Anderson has become the owner of said railroad, and of all the franchises and property of said railroad company, upon the terms and conditions in said deed of conveyance of the 21st December, 1875, specified. Now, to enable the

said J. B. Anderson, and his associates and assigns, to operate said railroad, and exercise the franchises vested in him by said conveyances,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That J. B. Anderson, and his associates and assigns, be, and are hereby, incorporated, and made a body-corporate and politic, under the name and style of the Maysville and Lexington Railroad Company, Northern Division, for the purpose of operating the Maysville and Lexington Railroad, of which said J. B. Anderson is owner as aforesaid, and shall have, and are hereby invested with, all the powers, privileges, rights, immunities, and franchises, subject to the restrictions and limitations contained in the charter of the Maysville and Lexington Railroad Company, Northern Division, under which said railroad has been constructed, and the acts amendatory thereof: *Provided*, That nothing in this act shall be held to subject the said powers, rights, immunities, privileges, and franchises, purchased as aforesaid under the decree of the Circuit Court of the United States for the district of Kentucky, and vested in the corporation by the act created by the operation of an act, entitled "An act reserving the right to amend and repeal charters or other laws," approved February 14th, 1856, but the same are exempted therefrom.

§ 2. The directors of the corporation hereby created shall consist of any number, not less than three nor more than seven, to be fixed by the stockholders thereof; and a majority of such directors shall constitute a quorum to do business.

§ 3. That said J. B. Anderson, and his assigns and associates, be, and are hereby, vested with the ownership of all the stock of said corporation; and may, by their by-laws, fix and limit the amount of the capital stock, not exceeding the amount in the charter under which said railroad was constructed; and may sell and transfer said stock, or any part thereof, and issue certificates of the same.

§ 4. The corporation hereby created shall have full power and authority to lease or sell its railroad, with all its powers and franchises for operating the same, to any other railroad company chartered by this Commonwealth; and shall have power to lease or purchase any other railroad constructed, or to be constructed, by companies or corporations chartered by this Commonwealth, which may be contiguous to, or connected with, this railroad; and may be vested by such lease or purchase with all the powers, privileges, and franchises of such company or corporation for operating its railroad; and may make valid and binding agreements for operating and running trains on this railroad, in connection with any other railroad, as one continuous railroad.

§ 5. The corporation hereby created is vested with all the powers necessary to enable it to fulfill and perform all the conditions and terms of the purchase of the railroad made by said J. B. Anderson, and specified in the deed of conveyance from said Bell, McLane, and Alexander to said J. B. Anderson, by issuing bonds to amount of five hundred thousand dollars, and securing them by a first mortgage upon all the rights, interests, estate, property, and franchises so conveyed, and by this act vested in the corporation hereby created.

§ 6. That to the extent of all claims of persons for wages, the claimants shall have a lien on the rolling stock of said railroad and its earnings, any mortgage to the contrary notwithstanding.

§ 7. This act shall take effect from and after its passage.

Mr. Vories then proposed to amend said bill as follows: "In section six, line two, after the word 'wages,' insert the following words: 'And injury sustained to persons and property.'"

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cleveland and Swoope, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	B. W. S. Huffaker,	Robert Simmons,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—28.
James B. Garnett,		

Those who voted in the negative, were—

W. W. Culbertson,	George B. Hodge,	Thos. W. Varnon—5.
R. G. Hays,	P. A. Lyon,	

*Ordered*, That the further consideration of said bill be postponed till Friday next, the 28th inst., at 11 o'clock.

Mr. Vories read and laid on the table a joint resolution, entitled Resolution directing printing of addresses on the death of General John C. Breckinridge.

Which, under the rule, lies one day on the table.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was referred the

Petition of G. B. Woodcock, of Warren county, praying the passage of an act for his benefit,

Asked to be discharged from the further consideration of said petition.

Which was granted.

Mr. Tyler, from the Committee on Courts of Justice, to whom was referred leave to bring in

A bill for the benefit of the ferry across the Ohio river from Boone county, opposite Rising Sun, Indiana,

Asked to be discharged from the further consideration of said leave.  
Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to legalize and make valid certain orders and proceedings of the Livingston county court.

By same—

An act authorizing the Boyd county court to issue the bonds of said county, and provide for the payment of the same, to build clerks' offices and repair the jail of said county.

By same—

An act to legalize the acts of the Meade county court.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Joseph G. Morgan, of Clay county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, On the 29th day of June, 1874, His Excellency, P. H. Leslie, Governor of this Commonwealth, agreed, in writing, with J. G. Morgan, of Clay county, to allow said J. G. Morgan fifteen per cent. on the revenue collected by him in said county of Clay, and the said Morgan, acting as sheriff or collector of the revenue due from Clay county for the year 1874, went on under the said contract with His Excellency, P. H. Leslie, Governor aforesaid, and collected the sum of four thousand seven hundred and ninety-four dollars and twenty cents (\$4,794 20), and paid the same into the Treasury of the State; and whereas, the Auditor of Public Accounts, under existing law at the time the said Morgan paid the sum aforesaid into the Treasury, could not pay said Morgan the fifteen per cent. according to the agreement aforesaid, but only paid or allowed said Morgan ten per cent. on the first thousand, eight per cent. on the second thousand, six per cent. on the third thousand, five per cent. on the fourth thousand, and four per cent on the balance, making a difference in the amount agreed to



be paid to said Morgan in the contract with the Governor as aforesaid, and the amount actually received by him, of four hundred dollars and seventeen cents; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts draw his warrant on the Treasurer in favor of said Joseph G. Morgan for the sum of four hundred dollars and seventeen cents in payment of said claim.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—29.
Duncan Harding,	Joseph B. Read,	

In the negative—George B. Hodge—1.

*Resolved,* That the title of said bill be as aforesaid.

Mr. Briggs, from the Committee on Claims, reported

A bill for the benefit of J. J. Nesbitt, executor of Wm. Richards.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered,* That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer in favor of J. J. Nesbitt, executor of Wm. Richards, for two hundred and thirteen dollars and eighty cents (\$213 80), being for allowance to Alsey Jones, Maranda Fields, Frank Summers, and Corty Bedell, idiots, from March 1st, 1875, to November 25, 1875, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	Robert Simmons,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—33.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Briggs, from the Committee on Claims, reported

A bill for the benefit of Samuel Orr, of Graves county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Governor P. H. Leslie did, by proclamation of date July 25, 1873, offer a reward of three hundred dollars each for the arrest and conviction of a band of disguised men who burned the house of D. W. Gilbreath, and shot L. M. Gilbreath; and whereas, Samuel Orr did arrest one of them, to-wit: Hiram Bevis, and delivered him to the authorities of Graves county, by whom he was admitted to bail in the sum of five hundred dollars, and then fled the country and thus avoided conviction; wherefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be and he is hereby, directed to draw his warrant on the Treasurer in favor of Samuel Orr, for the sum of three hundred dollars, to be paid out of any money not otherwise appropriated.

§ 2. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
Joseph Gardner,	Sumner Marble,	C. J. Walton—28.
Duncan Harding,		

Those who voted in the negative, were—

George B. Hodge,      George Wright—2.

*Resolved.* That the title of said bill be as aforesaid.

Mr. Lindsay, from the Committee on Claims, reported

A bill for the benefit of Farmer Reese, of Owen county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered,* That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Dr. Farmer Reese, of Owen county, was, on the — day of —, 1874, summoned by Joseph Clark, sheriff of Owen county, as one of a *posse comitatus* to aid said sheriff in the execution of a writ then held by said sheriff for the arrest of Willis Russell and others; and whereas, in consequence of his obeying said summons of the sheriff, said Farmer Reese was indicted in the United States Court at Louisville for conspiracy to resist a United States officer, was arrested, taken to Louisville, tried, and acquitted; and whereas, in consequence of said indictment, arrest, and trial, said Farmer Reese was compelled to and did incur large expense in the employment of counsel to defend him, and other expense incident to his compulsory attendance at said United States Court, and his trial therein, to-wit: to the sum of one hundred and twenty-five dollars; now, for remedy thereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts of the State of Kentucky be, and he is hereby, authorized and directed to draw his warrant on the Treasurer of Kentucky in favor of said Dr. Farmer Reese, of Owen county, Kentucky, for said sum of one hundred and twenty-five dollars.

§ 2. That this act take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative, not having received the constitutional majority.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
Scott Brown,	J. R. Leslie,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	P. A. Lyon,	Thos. W. Varnon,
P. F. Edwards,	Joseph B. Read,	C. J. Walton—19.
Duncan Harding,		

Those who voted in the negative, were—

F. L. Cleveland,	Geo. B. Hodge,	Sumner Marble,
Andrew J. Ewing,	B. W. S. Huffaker,	G. W. Swoope,
Joseph Gardner,	S. H. Jenkins,	W. L. Vories,
James B. Garnett,	R. B. Lovel,	George Wright—12.

So said bill was rejected.

Mr. Vories then moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

And then the Senate adjourned.

## TUESDAY, JANUARY 25, 1876.

A message was received from the House of Representatives, announcing that they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate Confidence Lodge, No. 48, Independent Order of Odd Fellows, of Augusta, Bracken county.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating the Frankfort, Paris, and Big Sandy Railroad Company,'" approved March 4th, 1872.

An act relating to the Christian County and Clarksville Turnpike Road Company.

Resolution inviting Rev. L. B. Woolfolk to deliver a lecture on meteorology before this General Assembly.



That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Minnett Orphan Asylum of the city of Louisville," approved April 21, 1873.

2. An act to incorporate Fifth Presbyterian Church of Louisville, Ky.

3. An act to incorporate Anchorage Presbyterian Church.

4. An act to amend an act to incorporate Louisville Presbyterian Orphans' Home Society, approved February 23, 1849.

5. An act to amend an act to charter the town of Kuttawa, in Lyon county.

6. An act to amend the charter of the Covington and Lexington Turnpike Road Company.

7. An act to amend an act, entitled "An act to incorporate the Louisville Law Library Company," approved February 8th, 1839.

8. An act to incorporate the Paducah Water Company.

9. An act to amend an act to amend the charter of Fisherville and Buck Creek Turnpike Company, in Shelby county.

10. An act to incorporate Gray Lodge, of the Independent Sons of Honor.

11. An act to incorporate the town of Whitesville, in Letcher county.

12. An act to incorporate the Southern Baptist Theological Seminary.

13. An act to enable the Literary Society of St. Louis Bertrand, of Louisville, Ky., to issue mortgage bonds.

14. An act repealing an act incorporating the town of Roaring Springs, in Trigg county.

15. An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

16. An act to amend the charter of the town of Franklin, Ky., approved December 18, 1867.

17. An act to amend an act, entitled "An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport." (Session Acts 1850-'51, vol. 2, page 270.)

18. An act to amend the charter of the town of Campbellsville.

19. An act to amend an act, entitled "An act to incorporate the Bardstown Baptist Female College, at Bardstown."

20. An act to exempt the county of McCracken and other counties from the provisions of section 4, article 3, chapter 27, General Statutes.

21. An act to amend section 7, chapter 56, General Statutes.

22. An act to amend section 1, chapter 51, of General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, and 10th to the Committee on Charitable Institutions; the 4th, 12th, 13th, 17th, and 19th to the Committee on Religion and Morals; the 5th, 7th, 8th, 11th, 14th, and 20th to the Committee on the Judiciary; the 6th, 9th, and 15th to the Committee on Internal Improvement; the 16th and 18th to the Committee on Courts of Justice, and the 21st and 22d to the Committee on General Statutes and Codes of Practice.

Leave was given to bring in the following bills, viz:

On motion of Mr. Simmons—

1. A bill to incorporate the South Covington Fair and Trotting Park Association.

On motion of Mr. Huffaker—

2. A bill for the benefit of Thomas H. Spradling, committee of David Spradling, an idiot, of Metcalfe county.

On motion of Mr. Read—

3. A bill to incorporate the Louisville Abstract and Loan Association.

On motion of Mr. Barker—

4. A bill for the benefit of the heirs of Joseph Brown, deceased.

On motion of Mr. Culbertson—

5. A bill to repeal the charter of the town of Geigerville.

On motion of Mr. Swoope—

6. A bill to amend section 13 of article 2, chapter 66, of General Statutes.

On motion of Mr. R. G. Hays—

7. A bill to incorporate Aid Lodge, No. 25, of the Order of Knights of Honor, of the city of Louisville.

On motion of Mr. Culbertson—

8. A bill to repeal section 2, article 16, chapter 92, General Statutes, title "Revenue and Taxation."

On motion of Mr. Hyden—

9. A bill to change the quarterly courts in Letcher county.

On motion of Mr. Gardner—

10. A bill for the benefit of James W. Linden, of Breathitt county.

On motion of same—

11. A bill for the benefit of Elijah Combs, committee for Wm. Bush, a pauper idiot, of Breathitt county.

On motion of Mr. Wright—

12. A bill to amend the charter of the town of Bowling Green.

*Ordered*, That the Committee on Agriculture and Manufactures prepare and bring in the 1st; the Committee on Finance the 2d, 7th, and 8th; the Committee on Banks and Insurance the 3d; the Committee on the Judiciary the 4th; the Committee on Propositions and Grievances the 5th; the Committee on General Statutes and Codes of Practice the 6th; the Committee on Courts of Justice the 9th and 12th, and the Committee on Claims the 10th and 11th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to legalize and make valid certain orders of the Livingston county court;

An act to amend the charter of the Mayslick and Helena Turnpike Road Company, in Mason county;

An act to amend the charter of the Hills City Turnpike Road Company;

An act to repeal an act, entitled "An act to incorporate a police municipality in Jefferson county," approved 11th February, 1874;

An act to repeal an act, entitled "An act to apply the provisions of an act, entitled 'An act to incorporate a municipality in Jefferson county' to certain other precincts," approved February 23, 1874, and styled chapter 566;

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association;"

An act to authorize the Helena Turnpike Road to relinquish a part of its road to the Mayslick and Helena Turnpike Road;

An act to amend section 7, article 2, chapter 92, of the General Statutes;

An act to amend an act, entitled "An act to incorporate the Broadway Baptist Church of Louisville," approved March 25th, 1872;

An act to amend section 2, article 1, chapter 28, of the General Statutes;

An act for the benefit of John Coleman, of Pike county;

An act to amend an act incorporating the Kiddville Turnpike Company;

An act to change the time of holding the circuit courts in the thirteenth judicial district;

An act to amend subsection 2, section 1, article 4, chapter 63, General Statutes;

An act to amend the charter of the White Oak Turnpike Road Company, in Bath county;

An act for the benefit of the Cabin Creek Turnpike Road Company, Lewis county;

Resolution to appoint a joint committee to investigate records of Land Office;

And bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to fix the terms and regulate the jurisdiction and proceedings of the Henderson court of common pleas;

An act to limit the jurisdiction and terms of the Henderson circuit court;

An act to incorporate the South Covington and Cincinnati Street Railway Company;

An act for the benefit of constables of Jefferson county;

Resolution authorizing the erection of a monument over the grave of the Hon. John L. Helm, formerly Governor of this Commonwealth;

Resolution providing for the attendance of one of the Commissioners at the sittings of the joint committee on revision of Codes;

Resolution authorizing joint committee on Codes of Practice to appoint a clerk;

Resolution in relation to the death of Gen. John C. Breckinridge; And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.



The following petition was presented, viz :

By Mr. Hyden—

Petition of A. F. Baum, praying the passage of an act to repeal section 2, article 16, chapter 92, of the General Statutes.

Which was received, the reading dispensed with, and referred to the Committee on General Statutes and Codes of Practice.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution calling on him for information in regard to the amount of fees received by him during the year 1875.

Said response reads as follows, viz :

STATE OF KENTUCKY,  
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,  
FRANKFORT, January 26th, 1876. }

HON. JNO. C. UNDERWOOD,

*Lieutenant Governor and Speaker of the Senate :*

SIR: Referring to a joint resolution originating in the Senate, calling on me to report to that body what fees and perquisites of my office I received during the year 1875, in excess of my annual salary, I respectfully respond, that I received fees for nine hundred and thirty-seven fire insurance licenses, one hundred and seven life insurance licenses, and two hundred and twenty-five express company licenses.

Very respectfully,

D. HOWARD SMITH, *Auditor.*

A message in writing was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, January 25th, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice the following named persons as worthy to be commissioned as notaries public, to act in the limits herein set forth :

Joseph A. Donalson, Carroll county.

J. E. Miller, Calloway county.

H. X. Morton, Union county.

Charles E. Johnson, Lewis county.

Thomas J. Throop, Mason county.

W. S. Frank, Mason county.

Joseph H. Miller, Adair county.

Z. T. Williams, Adair county.

William A. White, Campbell county.

Innis B. Payne, Campbell county.

Henry Buchanan, Campbell county.

D. M. Atkison, Magoffin county.  
J. H. Williamson, Boyle county.  
John M. Polk, Hardin county.  
W. W. Blackwell, Henderson county.  
Jeremiah Davidson, Greenup county.  
H. C. Hay, Muhlenburg, Ohio, Butler, Taylor, Todd, Christian,  
Hopkins, and McLean counties.  
Lewis Reno, Muhlenburg county.  
W. F. Barret, Jefferson county.  
W. B. Belknap, Jefferson county.  
John C. Barret, Jefferson county.  
Hiram Smith, Union county.  
R. B. Caldwell, Jefferson county.  
E. S. Watts, Jefferson county.  
A. C. Wills, Russell county.  
John G. Jefferson, Trigg county.  
John J. Gatewood, Allen county.  
H. M. Karr, Jefferson county.  
Thomas W. Colescott, Jefferson county.  
David Y. Heyman, Jefferson county.  
Thomas Speed, Jefferson county.  
J. L. Rosseau, Henderson county.  
James Barret, Henderson county.  
A. M. Quarrier, Jefferson county.  
Thomas W. Gibson, Jefferson county.  
L. L. Cock, Warren county.  
G. C. Dudley, Caldwell county.  
James T. Davis, Marion county.  
John A. Torrence, Jefferson county.  
D. M. Rodman, Jefferson county.  
S. W. D. Stone, Jefferson county.  
M. L. Roberts, Kenton county.  
C. G. Wallace, Kenton county.  
Wood H. Bowen, Kenton county.  
James S. Lyman, Jefferson county.  
James M. Fetten, Jefferson county.  
James E. Stewart, Lawrence, Carter, Johnson, Martin, Floyd, Pike,  
and Magoffin counties.  
George K. Speed, Jefferson county.  
J. C. Bohanan, Pendleton county.  
B. Holt, Russell county.  
E. S. Theobald, Franklin county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

The Speaker laid before the Senate the report of the Keeper of the Kentucky Penitentiary.

[*For Report, see Legislative Document No. 15.*]

Which was ordered to be printed, and referred to the Committee on Penitentiary and House of Reform.

Mr. Briggs moved the following resolution, viz :

*Resolved*, That with the view that this session shall not extend beyond the constitutional limit of sixty days, that on and after the 10th day of February no bill, resolution, or business of a local or private character shall be received or entertained.

Mr. Vories proposed the following amendment to said resolution, viz :

*“ Provided*, That Senators having had as many as three bills passed shall not be allowed to pass any other bill until all other Senators shall have had an equal opportunity with all others.”

Pending the consideration of which amendment, Mr. Walton moved that the further consideration of said resolution and amendment be postponed indefinitely.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	D. H. Lindsay,
Thos. J. Barker,	H. F. Finley,	R. B. Lovel,
James Blackburn,	Joseph Gardner,	Sumner Marble,
Scott Brown,	Duncan Harding,	C. N. Pendleton,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	George B. Hodge,	W. L. Vories,
W. A. Cunningham,	John Hyden,	C. J. Walton—23.
P. F. Edwards,	S. H. Jenkins,	

Those who voted in the negative, were—

Robert A. Briggs,	P. A. Lyon,	G. W. Swoope,
Wm. Cassius Goodloe,	Joseph B. Read,	H. A. Tyler,
James W. Hays,	Robert Simmons,	Thos. W. Varnon,
B. W. S. Huffaker,	J. H. Stanley,	George Wright—13.
J. R. Leslie,		

Mr. Vories moved the following resolution, viz :

*Resolved by the Senate*, That the use of this Chamber be granted on Friday evening next, 28th inst., at 7½ o'clock, to the committee appointed by the State Grange, the committee of the Wool-Growers' Association, and others interested in the culture and protection of sheep in this Commonwealth.

Which was adopted.

Mr. Tyler read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor, D. Howard Smith, be, and he is hereby, required and directed to report to this General Assembly, whether on and between the 10th day of October, 1873, and 10th day of October, 1875, he drew his warrant on the Treasury in favor of any attorney, other than the Attorney General, for services in behalf of the Commonwealth in any cases prosecuted in the Franklin circuit court, the Court of Appeals, or in the Courts of the United States for the District of Kentucky, or in any procedure to coerce payment of demands of the Commonwealth, payable at the Treasury ; if so, to report the style of suits, names of attorney in each case, amount of warrant in favor of each, and date thereof, as also all other expenses incurred in each action, and for what incurred, and to report for them by whom directed, and at whose instance all of said warrants were drawn, and under and by virtue of what act or provision of law.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Tyler, from the Committee on Courts of Justice.

1. An act to authorize the assessor of Jackson county to appoint a deputy assessor.

By same—

2. An act for the benefit of Wm. Williams, late county and circuit court clerk of Owsley county.

By same—

3. An act to legalize certain acts of the Mercer county court.

By Mr. Edwards, from the Committee on Courts of Justice—

4. An act for the benefit of A. B. Meguire, of Owsley county.

By same—

5. An act for the benefit of the clerk of the Muhlenburg circuit court.

By same—

6. An act to regulate the holding of circuit courts in the sixteenth judicial district.

By Mr. Leslie, from the Committee on Courts of Justice—

7. An act to legalize certain orders of the Gallatin county court of claims.



By Mr. Tyler, from the Committee on Courts of Justice—

8. An act for the benefit of the town marshal of Monterey, in Owen county.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That the 1st and 5th of said bills be placed in the orders of the day, and the others, the last named bill as amended, be severally read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration

A bill to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

*Ordered*, That the further consideration of said bill be postponed till to-morrow morning, at fifteen minutes past ten o'clock.

The Senate took up for consideration the resolution proposed by Mr. Vories on yesterday.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That three thousand copies of the addresses delivered in the two Houses of the General Assembly on the death of Gen. Breckinridge be printed in pamphlet form, with paper covers, enveloped and stamped, for the use of the General Assembly.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Tyler, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Sylvester Isaacs, late judge for Owsley county,

Reported the same without amendment.

Sundry amendments were proposed to said bill.

Pending the consideration of which, on motion of Mr. Cunningham,

*Ordered*, That said bill and amendments be committed to the Committee on the Judiciary.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Tyler, from the Committee on Courts of Justice—

A bill for the benefit of Lincoln county.

By Mr. Hodge, from a select committee—

A bill to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

The last named bill was ordered to be printed and made the special order of the day for Monday next, the 31st inst., and the first was ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Leslie, from the Committee on Courts of Justice, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of C. W. Thompson, of Metcalfe county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill.

Pending the consideration of which, the hour of 12 o'clock, M., having arrived, further action thereon was cut off by the joint order of the day, the election of State Librarian.

The Speaker announced that the hour for the execution of the joint order of the day, the election of a State Librarian, had now arrived.

Messrs. Tyler, Culbertson, and Stanley were appointed a committee to inform the House of Representatives that they were now ready to proceed to the election of a State Librarian.

A message was received from the House of Representatives, announcing that they were now ready to proceed to the election of a State Librarian.

A message was received from the House of Representatives, announcing that the names of the following persons were in nomination in that House for the office of State Librarian :

Mr. Samuel Sternberg, of Lee county.

Mrs. Cornelia Bush, of Franklin county.

Mr. Owen W. Grimes, of McCracken county.

Mr. F. W. Ratcliff, of Louisville.

Miss Fannie Jack, of Louisville.

Mr. Clinton K. Tharp, of Daviess county.

Mr. Tyler then nominated Owen W. Grimes, of McCracken county, as a suitable person to fill the office of State Librarian.

Mr. Hyden nominated Samuel Sternberg for the same office.

Mr. Barbour nominated F. W. Ratcliff for the same office.

Mr. Cleveland nominated Mrs. Cornelia Bush for the same office.

Mr. Swoope nominated Clinton K. Tharp for the same office.

Mr. R. G. Hays nominated Miss Fannie Jack for the same office.

Messrs. Read, Turner, and Swoope were appointed a committee to inform the House of Representatives of the names now in nomination in the Senate for the office of State Librarian.

The Senate then proceeded to take a vote, which stood thus :

Those who voted for Mr. Grimes, were—

James Blackburn,	Duncan Harding,	Sumner Marble,
Scott Brown,	S. H. Jenkins,	Robert Simmons,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories—14.
James B. Garnett,	P. A. Lyon,	

Those who voted for Mr. Sternberg, were—

Joseph Gardner,      John Hyden—2.

Those who voted for Mrs. Bush, were—

Thos. J. Barker,	H. F. Finley,	E. W. Turner,
F. L. Cleveland,	Wm. Cassius Goodloe,	Thos. W. Varnon,
W. W. Culbertson,	Geo. B. Hodge,	George Wright—11.
W. A. Cunningham,	R. B. Lovel,	

Those who voted for Mr. Ratcliffe, were—

Pollock Barbour,	B. W. S. Huffaker,	C. J. Walton—5.
R. G. Hays,	J. H. Stanley,	

Those who voted for Mr. Tharp, were—

C. N. Pendleton,      G. W. Swoope—2.

Those who voted for Miss Jack, were—

Robert A. Briggs,	James W. Hays,	Joseph B. Read—3.
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Messrs. J. W. Hays, Brown, and Finley were appointed a committee, to act with a similar one on the part of the House of Representatives, to compare the joint vote and report the result.

After a short time, Mr. J. W. Hays reported that the joint vote of the two Houses stood thus, viz :

For Mr. Grimes,	- - - - -	48
For Mrs. Bush,	- - - - -	47
For Mr. Sternberg,	- - - - -	16
For Mr. Ratcliffe,	- - - - -	11
For Mr. Tharp,	- - - - -	4
For Miss Jack,	- - - - -	5
Total number of votes cast,	- - - - -	131

Necessary to a choice, 66.

The Speaker then announced, that as no one in nomination had received a majority of all the votes cast, if it were the will and pleasure of the Senate, they would now proceed to take another vote.

After an interchange of messages between the two Houses, it being ascertained that the same persons were remaining in nomination in each House, the Senate proceeded to take a second vote, which stood thus :

Those who voted for Mr. Grimes, were—

James Blackburn,	James W. Hays,	Sumner Marble,
Robert A. Briggs,	S. H. Jenkins,	Robert Simmons,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
James B. Garnett,	D. H. Lindsay,	W. L. Vories—14.
Duncan Harding,	P. A. Lyon,	

Those who voted for Mr. Sternberg, were—

Joseph Gardner, John Hyden—2.

Those who voted for Mrs. Bush, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	E. W. Turner,
F. L. Cleveland,	George B. Hodge,	Thos. W. Varnon,
W. W. Culbertson,	B. W. S. Huffaker,	C. J. Walton,
W. A. Cunningham,	R. B. Lovel,	George Wright—13.
H. F. Finley,		

Those who voted for Mr. Ratcliffe, were—

Pollock Barbour, R. G. Hays, J. H. Stanley—3.

Those who voted for Mr. Tharp, were—

P. F. Edwards,	C. N. Pendleton,	G. W. Swoope—5.
Andrew J. Ewing,	Joseph B. Read,	

The same committee was then directed to compare the joint vote of the two Houses.

After a short time, Mr. J. W. Hays reported that the second joint vote of the two Houses stood thus :



For Mr. Grimes,	-	-	-	-	-	-	-	-	-	48
For Mrs. Bush,	-	-	-	-	-	-	-	-	-	55
For Mr. Sternberg,	-	-	-	-	-	-	-	-	-	14
For Mr. Ratcliff,	-	-	-	-	-	-	-	-	-	5
For Mr. Tharp,	-	-	-	-	-	-	-	-	-	5
For Miss Jack,	-	-	-	-	-	-	-	-	-	3

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Total number of votes cast, - - - - - 130

Necessary to a choice, 66.

The Speaker then announced, that as no one in nomination had received a majority of all the votes cast, if it were the will of the Senate, they would now proceed to take another vote.

After an interchange of messages between the two Houses, by which it was ascertained that the names of Miss Jack, Mr. Ratcliff, and Mr. Tharp had been withdrawn in each House, the Senate proceeded to take a third joint vote, which stood thus :

Those who voted for Mr. Grimes, were—

James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories—17.
James B. Garnett,	P. A. Lyon,	

For Mr. Sternberg—Joseph Gardner—1.

Those who voted for Mrs. Bush, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—18.

For Mr. Tharp—C. N. Pendleton—1.

The same committee was directed to compare the third joint vote of the two Houses.

In a short time, Mr. J. W. Hays reported that the third joint vote of the two Houses stood thus :

For Mr. Grimes,	-	-	-	-	-	-	-	-	-	51
For Mrs. Bush,	-	-	-	-	-	-	-	-	-	64
For Mr. Sternberg,	-	-	-	-	-	-	-	-	-	15
For Mr. Tharp,	-	-	-	-	-	-	-	-	-	1

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Total number of votes cast, - - - - - 131

Necessary to a choice, 66.

The Speaker then announced that as no one in nomination had received a majority of all the votes cast, if it were the will of the Senate, they would now proceed to take another vote.

After an interchange of messages between the two Houses, by which it was ascertained that the names of Mr. Grimes, Mrs. Bush, and Mr. Sternberg were still remaining in nomination in each House, the Senate proceeded to take a fourth vote, which stood thus, viz :

Those who voted for Mr. Grimes, were—

James Blackburn,	Duncan Harding,	P. A. Lyon,
Robert A. Briggs,	James W. Hays,	Sumner Marble,
Scott Brown,	S. H. Jenkins,	Robert Simmons,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories—16.
James B. Garnett,		

For Mr. Sternberg—Joseph Gardner—1.

Those who voted for Mrs. Bush, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—18.

Those who voted for Mr. Tharp, were—

C. N. Pendleton,	G. W. Swoope—2.
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The same committee was directed to compare the joint vote of the two Houses.

In a short time, Mr. J. W. Hays reported that the fourth joint vote of the two Houses stood thus, viz :

For Mrs. Bush,	-	-	-	-	-	-	-	-	-	72
For Mr. Grimes,	-	-	-	-	-	-	-	-	-	51
For Mr. Sternberg,	-	-	-	-	-	-	-	-	-	6
For Mr. Tharp,	-	-	-	-	-	-	-	-	-	2

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Total number of votes cast,	-	-	-	-	-	-	-	-	-	131
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Necessary to a choice, 66.

The Speaker then announced that Mrs. Cornelia Bush had received a majority of all the votes cast, and was duly elected State Librarian for two years from this date

And then the Senate adjourned.

WEDNESDAY, JANUARY 26, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Lincoln county.

An act to change the road law in Robertson county.

An act to amend an act, approved March 19, 1873, entitled "An act to incorporate the Pomeroy Coal Company."

An act to amend an act, entitled "An act incorporating Clayvillage, in Shelby county."

An act to amend an act, entitled "An act to amend the charter of the town of Sharpsburg, in Bath county," approved January 13, 1874.

An act to amend the charter of the DeCoursey Station, Taylor Road, and Bank Lick Short Line Turnpike Road Company.

An act for the benefit of the Bardstown and Louisville Turnpike Road Company.

An act to amend an act to amend the charter of the Concord and Tollsboro Turnpike Road Company, approved December 23, 1873.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Kentucky Trotting Horse Breeders' Association.

2. An act to incorporate the Odd Fellows' Orphanage and Home, of Louisville, Ky.

3. An act to legalize the collection of toll on the Owenton and Ross' Mill Turnpike Road.

4. An act to incorporate Amenda Lodge, No. 31, Knights of Pythias.

5. An act to incorporate Owen Lodge, No. 85, I. O. O. F.

6. An act to incorporate Olive Lodge, No. 24, Knights of Pythias, of Carrollton, Ky.

7. An act to incorporate Union Benevolent Association of Versailles, Ky.

8. An act to charter the Southern Kentucky Orphans' Asylum.

9. An act to amend the charter of the town of Shelbyville.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Agriculture and Manufactures; the 2d, 4th, 5th, 6th, 7th, and 8th to the Committee on Charitable Institutions; the 3d to the Committee on Internal Improvement, and the 9th to the Committee on General Statutes and Codes of Practice.

The following petitions were presented, viz :

By Mr. Cleveland--

1. Petition of sundry citizens of Bracken county, asking the passage of a law to prevent stock from running at large in said county, and to increase the jurisdiction of justices of the peace, &c.

By Mr. Goodloe--

2. Petition of certain dentists of the Commonwealth of Kentucky.

Said petition reads as follows, viz :

The undersigned, your petitioners, would respectfully represent, that while the profession of dental surgery is of great and acknowledged importance to the community at large, not only as a scientific art, but also as an auxiliary branch of general medicine and surgery, requiring for its judicious practice a large amount of artistic and scientific skill and knowledge, the profession is left fully and alike open, without the least legal mark of distinction between the skillful operator and the most unscrupulous charlatan, who has assumed its duties and responsibilities without the smallest qualification except ignorance and impudence. The natural, and, indeed, necessary consequence is, that while the profession is thus brought into disrepute, the public are made the victims of the vilest impositions by a horde of ignorant pretenders; that, too, without the means of discrimination except by that maltreatment which always proves to be dearly bought experience.

This state of things prevails to such an extent that thousands are constantly deprived of the blessings a correct and skillful practice of dentistry may bestow; and simply because by malpractice they are led to doubt the utility of all dental operations, and shun alike the good and bad practitioner.

While your petitioners do not desire the enactment of any prohibitory law requiring dentists now in practice to relinquish their already established vocation, we would most earnestly and respectfully pray your honorable body to consider the propriety, and consult the public good, of limiting the time to a few years, when all dentists continuing in practice in this State, thereafter must possess certificates of qualification such as described in the bill accompanying this petition.



But as to those yet to enter the practice of dentistry in this State, the state of case differs. Inasmuch as the avenues of learning are so numerous, and alike free to all, we can see no good reason why they should not be required by law to possess necessary qualification before they are admitted to practice.

In view of the above considerations, and the fact that so much of well-being and comfort, or pain and discomfort, depends upon the decision as to whether the practice of dentistry shall be in the hands of those prepared to labor with intelligence and skill, or left to those unqualified and yet so dishonest and reckless as to peril the health and betray the confidence of those who trust them, without some means fixed by law to prevent their imposition; and in view of the further fact that many millions of dollars are annually expended in this State alone for dental operations, your petitioners deem their prayer as not merely reasonable, but as essential to the profession and protection of the public alike.

W. G. REDMAN,  
C. E. DUNN,  
F. PEABODY,  
J. N. BEDFORD,  
J. W. GRANT,  
J. O. DEDMAN,  
L. W. WELLS,  
W. M. ROGERS,  
L. DRIGGS,  
A. W. SMITH,  
J. HOOPER,  
J. T. McMILLAN,  
J. N. BILLING,  
W. W. JUSTICE,

D. N. MORSE,  
WM. H. GODDARD,  
J. F. CANINE,  
B. O. DOYLE,  
L. E. CHEESMAN,  
J. B. McBEATH,  
R. C. MORGAN,  
N. BALDWIN,  
A. O. RAWLS,  
WM. VAN ANTWERP.  
W. S. MOORES,  
T. D. KELLY,  
J. W. FLOORE.

By Mr. Jenkins—

3. Petition of citizens of the town of Blandville, praying for the repeal of the local option law. —

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d was ordered to be printed and referred to the Committee on General Statutes and Codes of Practice, and the 3d was referred to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz:

On motion of Mr. Goodloe—

A bill to amend an act, entitled “An act to incorporate the Kentucky Association for the improvement of the breed of stock.”

On motion of Mr. Hodge—

A bill to amend an act authorizing Jamestown magisterial district to purchase a turnpike road, and to bridge Taylor creek.

On motion of same—

A bill for the benefit of James Williams, James B. Chadwick, and others.

*Ordered*, That the Committee on the Judiciary prepare and bring in the same.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act relating to the Christian County and Clarksville Turnpike Road Company;

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating the Frankfort, Paris, and Big Sandy Railroad Company,'" approved March 4th, 1872;

An act to incorporate Confidence Lodge, No. 46, Independent Order of Odd Fellows, of Augusta, Bracken county;

Resolution inviting Rev. L. B. Woolfolk to deliver a lecture on meteorology before this General Assembly;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate resumed the unfinished report of yesterday from the Committee on Courts of Justice, it being a bill from the House of Representatives, entitled

An act for the benefit of C. W. Thompson, of Metcalfe county.

The motion heretofore made dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Huffaker then proposed an amendment to said bill.

Pending the consideration of which, the hour having arrived for the consideration of the special order of the day, further action thereon was cut off.

The Senate, according to order, took up for consideration

A bill to provide for the representation of the resources and industries of Kentucky at the American Centennial Exposition at Philadelphia, beginning May 10, 1876.

[*For bill, see Senate Journal January 22d, 1876.*]

The question was then taken on the amendment to said bill proposed by Mr. Gardner.

Said amendment reads as follows, viz:

In section one, line two, strike out the word "thirty," and insert in lieu thereof the word "ten."

Mr. Swoope called for a division of the question on said amendment.

The question was first taken on striking out the word "thirty."

And it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	George Wright—27.

Those who voted in the negative, were—

F. L. Cleveland,	Wm. Cassius Goodloe,	C. N. Pendleton,
W. A. Cunningham,	R. G. Hays,	Joseph B. Read,
H. F. Finley,	B. W. S. Huffaker,	C. J. Walton—9.

The question was then taken on filling the blank in said line of said section with the word "ten," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Robert A. Briggs,	R. G. Hays,	Thos. W. Varnon,
W. W. Culbertson,	John Hyden,	W. L. Vories—7.
Joseph Gardner,		

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,

Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
P. F. Edwards,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—29.
James B. Garnett,	P. A. Lyon,	

Mr. Read then moved to fill the blank in said line of said section by inserting the words "twenty-five."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Edwards then moved to fill the blank in said line of said section by inserting the word "twenty."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	R. G. Hays,	C. N. Pendleton,
W. W. Culbertson,	B. W. S. Huffaker,	Joseph B. Read,
P. F. Edwards,	John Hyden,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	C. J. Walton—14.
Wm. Cassius Goodloe,	P. A. Lyon,	

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	James W. Hays,	G. W. Swoope,
Scott Brown,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	George Wright—21.

Mr. Briggs then moved to fill the blank in said line of said section by inserting the word "fifteen."

Pending the consideration of which motion, Mr. J. W. Hays moved that the further consideration of said bill be postponed till to-morrow at fifteen minutes past ten o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :



An act to incorporate the South Covington and Cincinnati Street Railway Company.

An act to limit the jurisdiction and terms of the Henderson circuit court.

An act to fix the terms and regulate the jurisdiction and proceedings of the Henderson court of common pleas.

An act for the benefit of constables of Jefferson county.

Resolution authorizing joint committee on Codes of Practice to appoint a clerk.

Resolution in relation to the death of Gen. John C. Breckinridge.

Resolution authorizing the erection of a monument over the grave of the Hon. John L. Helm, formerly Governor of this Commonwealth.

Resolution providing for the attendance of one of the Commissioners at the sittings of the joint committee on revision of Codes.

Mr. Swoope read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a committee of two from the Senate and three from the House be appointed to examine, ascertain, and report to this Assembly—1st. The amount of appropriations made by the State to the various charitable institutions of the State ; 2d. How expended, and specifically the mode and manner.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate, according to order, took up for consideration the resolution heretofore proposed by Mr. Hodge, entitled

Resolution directing our Senators and requesting our Representatives in Congress to vote in aid of the Texas Pacific Railroad,

Together with the amendment proposed by the Committee on Railroads as a substitute for said resolution.

The question was then taken on the adoption of the amendment proposed by the Committee on Railroads.

Pending the consideration of which amendment, Mr. Swoope moved that the further consideration of said resolution and amendment be postponed till Saturday, the 29th inst., at 10½ o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

And then the Senate adjourned.

## THURSDAY, JANUARY 27, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to repeal an act, entitled "An act to apply the provisions of an act, entitled 'An act to incorporate a municipality in Jefferson county' to certain other precincts," approved February 23, 1874, and styled chapter 566.

An act to authorize the Helena Turnpike Road to relinquish a part of its road to the Mayslick and Helena Turnpike Road.

An act to amend subsection 2, section 1, article 4, chapter 63, General Statutes.

An act to amend an act, entitled "An act to incorporate the Broadway Baptist Church of Louisville," approved March 25th, 1872.

An act for the benefit of the Cabin Creek Turnpike Road Company, Lewis county.

An act to amend section 2, article 1, chapter 28, of the General Statutes.

An act to amend the charter of the White Oak Turnpike Road Company, in Bath county.

An act for the benefit of John Coleman, of Pike county.

An act to amend an act incorporating the Kiddville Turnpike Company.

An act to amend section 7, article 2, chapter 92, of the General Statutes.

An act to change the time of holding the circuit courts in the thirteenth judicial district.

An act to legalize and make valid certain orders and proceedings of the Livingston county court.

An act to repeal an act, entitled "An act to incorporate a police municipality in Jefferson county," approved 11th February, 1874.

An act to amend the charter of the Mayslick and Helena Turnpike Road Company, in Mason county.

An act to amend the charter of the Hills City Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Lexington Building and Accumulating Fund Association."

Resolution to appoint a joint committee to investigate records of Land Office.

That they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the United Baptist Church, Brooksville, Bracken county.

An act to amend an act to amend and reduce into one the several acts in regard to the town of Catlettsburg.

Resolution directing printing of addresses on the death of General John C. Breckinridge.

That they had passed bills of the following titles, viz :

1. An act to amend the charter of the Lebanon, Barbourville, and Mackville Turnpike Road Company.

2. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16th, 1869.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Internal Improvement, and the 2d to the Committee on Courts of Justice.

The following petitions were presented, viz :

By Mr. Finley--

1. Petition for the benefit of John Goodin, county judge of Bell county.

By Mr. Leslie--

2. Petition of sundry citizens of the 6th judicial district, asking the passage of a law creating a criminal and equity court.

By Mr. Harding--

3. Petition of citizens of Berry's Station, Harrison county, asking the passage of a law requiring legal voters to pay taxes before voting in town elections.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on General Statutes and Codes of

Practice ; the 2d to the Committee on the Judiciary, and the 3d to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz :

On motion of Mr. Goodloe—

1. A bill for the benefit of Tarlton C. Laughlin.

On motion of Mr. Ewing—

2. A bill for the benefit of school district No. 39, in Bath county, and to change the name of the Sharpsburg Male and Female Academy to Sharpsburg Male and Female College.

On motion of same—

3. A bill to amend an act to incorporate the Owingsville Cemetery Company, approved March 25, 1872.

On motion of same—

4. A bill to amend the charter and reduce into one the several acts concerning the town of Sharpsburg, Bath county.

On motion of Mr. Turner,

5. A bill to change the time of holding the quarterly courts for the county of Madison.

On motion of Mr. Wright—

6. A bill for the benefit of common school district No. 12, in Warren county.

On motion of Mr. Barbour—

7. A bill for the benefit of the Louisville, Harrod's Creek, and Westport Railroad.

On motion of Mr. Blackburn—

8. A bill to repeal sections 8, 9, and 15, chapter 75, General Statutes, and to amend section 14 of same chapter.

On motion of Mr. R. G. Hays—

9. A bill to incorporate the Louisville Real Estate, Mortgage, and Loan Association.

On motion of same—

10. A bill to incorporate the Louisville Bank of Commerce.

*Ordered*, That the Committee on the Judiciary prepare and bring in the 1st and 7th; the Committee on Education the 2d and 6th; the Committee on Charitable Institutions the 3d; the Committee on Courts of Justice the 4th; the Committee on General Statutes and Codes of Practice the 5th and 8th, and the Committee on Finance the 9th and 10th.



Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to increase the jurisdiction of the police judge of Caseyville, Union county ;

An act to revive to the Paducah, Benton, and Murray Gravel Road Company the franchises granted it by an act approved December 16, 1871 ;

An act for the benefit of Joseph G. Morgan, of Clay county ;

An act for the sale of Mount Horeb Parsonage ;

An act authorizing the Boyd county court to issue the bonds of said county, and provide for the payment of the same, to build clerks' offices and repair the jail of said county ;

And bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Lincoln county ;

An act to change the road law in Robertson county ;

An act to amend an act, approved March 19, 1873, entitled "An act to incorporate the Pomeroy Coal Company ;"

An act to amend an act, entitled "An act incorporating Clayvillage, in Shelby county ;"

An act to amend an act, entitled "An act to amend the charter of the town of Sharpsburg, in Bath county," approved January 13, 1874 ;

An act to amend the charter of the DeCoursey Station, Taylor Road, and Bank Lick Short Line Turnpike Road Company ;

An act to amend an act to amend the charter of the Concord and Tollsboro Turnpike Road Company, approved December 23, 1873 ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

On motion of Mr. Tyler, leave of absence, indefinitely, was granted Mr. Lyon.

Mr. J. W. Hays moved the following resolution, viz :

*Resolved*, That an additional committee be added to the standing committees of the Senate, to be composed of two members of the Senate, the Speaker to be *ex-officio* chairman, whose duty it shall be, from time to time, to revise and amend the rules of order in the Senate.

Which was adopted, and the Speaker appointed Messrs. J. W. Hays and Briggs said committee.

Mr. Goodloe moved the following resolution, viz :

WHEREAS, There are now, in the Commonwealth of Kentucky, sixteen circuit courts, two criminal courts, five common pleas courts, two chancery courts, and bills are now pending before the General Assembly to create additional courts ; and whereas, in the opinion of this body, the cost to the Commonwealth of maintaining these courts would be greatly reduced, and the cause of justice materially advanced, could the State be redistricted into a sufficient number of circuits, and a majority of the other courts abolished, the necessity for their creation no longer existing ; therefore, be it

*Resolved*, That the Judiciary Committee be requested to fully consider the subject, and report to the Senate, by bill or otherwise, if, in their opinion, such a result can be legally and constitutionally attained.

Which was adopted.

Mr. Walton moved the following resolution, viz :

*Resolved*, That a committee of three be appointed to take into consideration that part of the Governor's message referring to the establishment of "Health Boards," whose business it shall be to confer with a similar committee on the part of the House of Representatives, and to report by bill or otherwise.

Which was adopted, and the Speaker appointed Messrs. Walton, Barbour, and Jenkins said committee.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act for the benefit of Cornelia Bush.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Cornelia Bush, a married woman, has been elected State Librarian for the ensuing two years ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said Cornelia Bush be, and she is hereby, empowered to execute the bond required by law of the State Librarian, and to do

all acts and make all contracts, within the scope of her official duties, in the same manner and with the same effect as if she were a *feme sole*.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	P. A. Lyon,
Thos. J. Barker,	Joseph Gardner,	C. N. Pendleton,
James Blackburn,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	Wm. Cassius Goodloe,	J. H. Stanley,
Scott Brown,	Duncan Harding,	E. W. Turner,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—30.

Those who voted in the negative, were—

S. H. Jenkins, Sumner Marble, G. W. Swoope—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Thomas R. Hume and others, of Madison county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of the clerk of the Muhlenburg circuit court.

*Ordered*, That the further consideration of said bill be postponed till Tuesday next, the 1st of February, at 10½ o'clock, A. M.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Pendleton, from the Committee on Charitable Institutions—

A bill authorizing the managers of the Western Lunatic Asylum to insure it.



By Mr. Read, from the Committee on Education—

A bill to amend an act, entitled "An act for the benefit of the public schools of the city of Louisville," approved January 31, 1873.

By same—

A bill for the benefit of the public schools of the city of Louisville.

By same—

A bill to amend chapter 18, General Statutes, entitled "Common Schools."

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the last named bill was ordered to be printed and placed in the orders of the day, and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, resumed the consideration of

A bill to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

The question was then taken on the amendment to said bill proposed by Mr. Briggs on yesterday, which was to fill the blank in the second line of the first section with the word "fifteen."

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Joseph Gardner,	P. A. Lyon,
F. L. Cleveland,	Wm. Cassius Goodloe,	C. N. Pendleton,
W. W. Culbertson,	B. W. S. Huffaker,	Joseph B. Read,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton—16.
H. F. Finley,		

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	G. W. Swoope,



Scott Brown,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
James B. Garnett,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	Sumner Marble,	George Wright—21.

Mr. Brown then moved to fill the blank in said line of said section with the word "five."

Mr. Walton moved to fill said blank with the words "twelve thousand five hundred."

Mr. Cleveland moved to fill the said blank with the words "ten thousand one hundred."

Pending the consideration of which motions, Mr. Swoope moved to postpone the further consideration of said bill and amendments until to-morrow.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Wright then moved the following resolution, viz :

Said resolution reads as follows, viz :

*Resolved*, That a committee be appointed to ascertain the probable cost of exhibiting such minerals of the geological collection of this Commonwealth as may be thought proper ; also the probable cost of publishing such information relative to the resources of Kentucky as may be thought necessary to show the mineral, agricultural, and other resources of this Commonwealth ; also the probable cost of sending some competent person to the Centennial celebration at Philadelphia, to take charge of such collections and publications. Said committee shall report by bill as soon as practical.

Pending the consideration of which, the Speaker having decided said resolution to be in order, Mr. Swoope moved to lay said bill and resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	C. N. Pendleton,	H. A. Tyler—5
Andrew J. Ewing,	G. W. Swoope,	

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,

W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
H. F. Finley,	J. R. Leslie,	C. J. Walton,
Joseph Gardner,	D. H. Lindsay,	George Wright—32.
James B. Garnett,	R. B. Lovel,	

The question was then taken on the adoption of the resolution proposed by Mr. Wright, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Barbour, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	R. B. Lovel,
Thos. J. Barker,	R. G. Hays,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	George Wright—12.

Those who voted in the negative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	C. N. Pendleton,
Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
H. F. Finley,	P. A. Lyon,	W. L. Vories,
Joseph Gardner,	Sumner Marble,	C. J. Walton—25.
James B. Garnett,		

Mr. Wright then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Walton, to fill the blank in the second line of the first section of the bill with the words "twelve thousand five hundred," and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Joseph Gardner,	D. H. Lindsay,
F. L. Cleveland,	Wm. Cassius Goodloe,	P. A. Lyon,
W. W. Culbertson,	George B. Hodge,	Joseph B. Read,
W. A. Cunningham,	B. W. S. Huffaker,	Thos. W. Varnon,
P. F. Edwards,	John Hyden,	C. J. Walton—16.
H. F. Finley,		

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	S. H. Jenkins,	G. W. Swoope,

Scott Brown,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	R. B. Lovel,	H. A. Tyler,
James B. Garnett,	Sumner Marble,	W. L. Vories,
Duncan Harding,	C. N. Pendleton,	George Wright—21.

The question was then taken on the amendment proposed by Mr. Cleveland, to fill the blank in the second line of the first section of said bill with the words "ten thousand one hundred,"

And it was decided in the affirmative by the "casting vote" of the Speaker (Underwood).

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Joseph Gardner,	D. H. Lindsay,
F. L. Cleveland,	Wm. Cassius Goodloe,	P. A. Lyon,
W. W. Culbertson,	Duncan Harding,	Joseph B. Read,
W. A. Cunningham,	George B. Hodge,	Thos. W. Varnon,
P. F. Edwards,	B. W. S. Huffaker,	W. L. Vories,
H. F. Finley,	John Hyden,	C. J. Walton—18.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	S. H. Jenkins,	G. W. Swoope,
Scott Brown,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	R. B. Lovel,	H. A. Tyler,
James B. Garnett,	Sumner Marble,	George Wright—18.

Mr. Briggs then moved to amend said bill by striking out the word "nor," and inserting in lieu thereof the word "and," in the eighteenth line of the preamble of said bill.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the constitution.

Before the result of the vote was announced, Mr. Walton asked to change his vote.

Mr. J. W. Hays objected, and raised the point of order "that a Senator did not have the right to change his vote before the result was announced."

The Speaker decided that the Senator *did* have the right to change his vote before the result was announced.

The result of the vote was then announced as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Joseph Gardner,	D. H. Lindsay,
F. L. Cleveland,	Wm. Cassius Goodloe,	P. A. Lyon,
W. W. Culbertson,	Duncan Harding,	Joseph B. Read,
W. A. Cunningham,	George B. Hodge,	Robert Simmons,
P. F. Edwards,	B. W. S. Huffaker,	Thos. W. Varnon,
H. F. Finley,	John Hyden,	W. L. Vories—18.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	J. H. Stanley,
Thos. J. Barker,	R. G. Hays,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—18.

The Speaker deciding that there was a tie vote, and recording his vote in the affirmative.

So said bill was rejected, not having received the majority required by the Constitution.

Mr. Walton then moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration

A bill to provide for continuing the Geological and other surveys of the State of Kentucky.

*Ordered*, That the further consideration of said bill be postponed till to-morrow morning, at fifteen minutes past ten o'clock.

And then the Senate adjourned.



## FRIDAY, JANUARY 28, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Perry Jefferson, late sheriff of Mason county, and his deputies.

An act to incorporate Smith's Grove College, in Warren county.

An act for the benefit of R. W. Dickerson.

An act for the benefit of R. H. Morrow, sheriff of Gallatin county.

That they had passed bills and resolutions of the following titles, viz :

1. An act for the benefit of R. A. Walker, late sheriff of Crittenden county.

2. An act legalizing an order of the Martin county court of claims, and authorizing said court to levy an ad valorem tax in said county.

3. An act for the benefit of Geo. H. Sweeney, late sheriff of Casey county.

4. An act for the benefit of Elizabeth Durham, of Green county.

5. An act for the benefit of the creditors of the Montgomery and Bath Stock Association.

6. An act to continue in force an act approved February 3d, 1874, for the benefit of W. L. Crumbaugh, late sheriff of Lyon county.

7. An act to attach Rock House Bottom, in Cumberland county, to Russell county.

8. An act giving the assessor of Trigg county one month additional time to return his books.

9. An act for the benefit of J. M. Lester, of Caldwell county.

10. An act for the benefit of John Lay, sheriff of Knox county.

11. An act for the benefit of S. S. Johnson, late sheriff of Warren county.

12. An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties.

13. Resolution to print report of the commissioners of the Kentucky Institution for the Deaf and Dumb.

14. Resolution to appoint a committee on State's interest in Covington and Lexington Turnpike Road Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 8th, 10th, and 12th to the Committee on Finance; the 2d, 3d, and 6th to the Committee on Courts of Justice; the 5th to the Committee on Agriculture and Manufactures; the 7th and 9th to the Committee on Propositions and Grievances; the 11th to the Committee on Claims; the 13th, a resolution, to the Committee on Internal Improvement, and the 14th, a resolution, to the Committee on Charitable Institutions.

Leave was given to bring in the following bills, viz:

On motion of Mr. Pendleton—

1. A bill to prevent trespass in Christian county.

On motion of Mr. Barker—

2. A bill to amend section 3, article 6, chapter 63, General Statutes.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st, and the Committee on General Statutes and Codes of Practice the 2d.

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, entitled

An act for the benefit of Cornelia Bush;

And bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act to amend and reduce into one the several acts in regard to the town of Catlettsburg;

An act for the benefit of the Bardstown and Louisville Turnpike Road Company;

An act to incorporate the United Baptist Church, Brooksville, Bracken county;

Resolution directing printing of addresses on the death of General John C. Breckinridge;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his sig-

nature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the committee had performed that duty.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend an act to amend the charter of the Concord and Tollsboro Turnpike Road Company, approved December 23, 1873.

An act to amend an act, entitled "An act to amend the charter of the town of Sharpsburg, in Bath county," approved January 13, 1874.

An act to amend the charter of the DeCoursey Station, Taylor Road, and Bank Lick Short Line Turnpike Road Company.

An act to amend an act, approved March 19, 1873, entitled "An act to incorporate the Pomeroy Coal Company."

An act to incorporate Confidence Lodge, No. 46, Independent Order of Odd Fellows, of Augusta, Bracken county.

An act to amend an act, entitled "An act incorporating Clayvillage, in Shelby county."

An act to change the road law in Robertson county.

An act to repeal an act, entitled "An act to amend an act, entitled 'An act incorporating the Frankfort, Paris, and Big Sandy Railroad Company,'" approved March 4th, 1872.

An act relating to the Christian County and Clarksville Turnpike Road Company.

Resolution inviting Rev. L. B. Woolfolk to deliver a lecture on meteorology before this General Assembly.

The Speaker appointed Messrs. Gardner and Read as the committee on the part of the Senate, under a joint resolution adopted by the two Houses, entitled

Resolution to appoint a joint committee to investigate records of Land Office.

Mr. Goodloe moved the following resolution, viz :

WHEREAS, It has come to the knowledge of the Senate that charges have been made through the public prints and the Keeper of the Penitentiary and other sources concerning the inadequacy of the cells in the penitentiary to accommodate, with reasonable comfort, the large number of convicts confined therein; and of the punish-



ments inflicted ; and of the deleterious effects upon the health of the convicts who are required to labor in the hemp department thereof ; therefore, be it

*Resolved*, That a committee of five be appointed to inquire into and report to the Senate as to the truth or falsity of said charges ; and said committee shall have power to send for persons and papers.

Which was adopted, and the Speaker appointed Messrs. Goodloe, Gardner, R. G. Hays, Walton, and Harding said committee.

The Senate took up for consideration the resolution heretofore proposed by Mr. Edwards, entitled

Resolution directing the appointment of a committee to visit the charitable institutions.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of three from the Senate and three from the House be appointed by the Speakers of their respective Houses, whose duty it shall be to visit the several lunatic asylums in this Commonwealth and ascertain how many employees there are employed and actually serving in such capacity at the several institutions aforesaid, and what services they render, and what they are paid ; and also to ascertain how much money, if any, has been wrongfully appropriated by the managers of said institutions ; and what legislation is necessary, if any, to promote the ends and purposes for which said institutions were established, and report such information as they may be able to gather as early as practicable.

Mr. Cleveland proposed to amend said resolution as follows, viz :

“ Amend the resolution by making the number of the committee two from the Senate and three from the House, and that they be appointed from the standing committees on charitable institutions of the two Houses.”

Pending the consideration of which amendment, Mr. Briggs moved to lay said resolution and amendment on the table.

Which motion was adopted.

The Senate, according to order, took up for consideration

A bill to provide for continuing the Geological and other surveys of the State of Kentucky :

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Geological and other Surveys of the Commonwealth, provided for and ordered by the acts approved respectively March 22, 1873, and February 13, 1874, be, and the same are hereby, continued, subject to the conditions set forth in these enactments, except so far as is hereafter provided.

§ 2. That the maps, reports, and other publications of the Survey shall be disposed of and distributed as follows : one copy shall be



given to each member of the State Government; and three copies, for distribution in their respective counties, to each member of the General Assembly; one to each county and circuit clerk's office, to be filed and retained therein as the property of the State, and to be retained therein for information and reference by the citizens of said county; five copies to each officer of the Survey engaged in the preparation thereof; three hundred copies shall be distributed to the various public libraries and other public institutions and men of science in this and other countries in the manner most likely to diffuse knowledge of the resources of the State, and to aid in developing its industries; that the remainder of the copies printed from time to time shall be offered for sale, as may be directed by the Governor of this Commonwealth, at the actual cost of printing, binding, and distributing the same.

§ 3. For the maintenance of the Surveys, as above provided, there is hereby appropriated, from any moneys in the Treasury not otherwise appropriated, as follows: For the further Geological investigation of the State, including the salaries of the Director and his Geological Assistants, and their field expenses, seven thousand dollars per annum; for the Topographical Survey, including the salaries of Assistants and field expenses, five thousand dollars per annum; for the salaries of the Chemical Assistants and their office expenses, three thousand dollars per annum; for the preparation of stereotype and lithographic plates, and press-work, paper, and the other expenses of printing the reports, maps, &c., seven thousand dollars per annum; for the outfit expenses of the Survey, the purchase of horses and wagons, instruments, &c., and for office expenses, fifteen hundred dollars per annum; for the purchase of cases, and the expense incident to collections at the State Cabinet and elsewhere, as provided and declared in the act approved March 22, 1873, fifteen hundred dollars per annum: *Provided, however,* That the money not required for any of the purposes specified above may be used for the other specified purposes; and no part of the amount set apart for plates, printing, &c., shall be used for any other purpose until the publication shall be fully completed.

§ 4. This act shall take effect from and after its passage.

Mr. R. G. Hays proposed to amend the third section of said bill by adding thereto the following, viz:

"*Provided,* That this act shall expire on the 1st day of February, 1877."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. J. W. Hays proposed to amend said bill as follows, viz:

"At the end of the third section add these words: 'And this act shall expire at the end of two years from and after the date of its passage.'"

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill.

Pending the consideration of which question, Mr. R. G. Hays moved to recommit said bill to the Committee on Appropriations.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
Thos. J. Barker,	Joseph Gardner,	C. N. Pendleton,
James Blackburn,	James B. Garnett,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
Scott Brown,	James W. Hays,	G. W. Swoope,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—30.

Those who voted in the negative, were—

Wm. Cassius Goodloe,	S. H. Jenkins,	H. A. Tyler—5.
George B. Hodge,	Joseph B. Read,	

The Senate, according to order, took up for consideration

A bill to relieve the sheriff of Allen county from collecting railroad tax and other purposes.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

[*For bill, see Senate Journal January 21st, 1876.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barker and R. G. Hays, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,

W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—26.
Joseph Gardner,	C. N. Pendleton,	

Those who voted in the negative, were—

Pollock Barbour,	Scott Brown,	George B. Hodge,
Thos. J. Barker,	James W. Hays,	R. B. Lovel—6.

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill for the benefit of circuit court clerks of this Commonwealth.

*Ordered*, That the further consideration of said bill be postponed till Wednesday next, February 2d, at 10½ o'clock, A. M.

The Senate, according to order, took up for consideration

A bill to incorporate the Maysville and Lexington Railroad Company, Northern Division.

Sundry amendments were proposed to said bill.

Which were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to authorize the inspectors of the penitentiary to have improvements made for the convenience of convicts.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the inspectors of the penitentiary shall cause to be erected, at some suitable place inside of the walls of the penitentiary, a privy for the use of the female convicts, which shall be built of well burned brick, and shall be thirty feet long, ten feet wide, and nine feet high, with nine-inch walls, stone foundation ; it shall be



covered with tin; it shall have four doors, two on each side; four windows, two at each end; the door and window-sills shall be of stone. The other details of specifications is left to the inspectors. The privy shall be connected by a sewer of terra cotta pipe, twenty-four inches in diameter (with grating to prevent the escape of prisoners), with the main sewer which leads from the penitentiary to the river. The inspectors shall also have pipes so laid and constructed as to carry the water from the buildings in the prison to the privy. They will direct the work to be done in such manner that the building erected shall be substantial and durable, suitable for the uses intended, and of good material; all the work done in a good and workmanlike order; and they shall reject and refuse to pay for any work done or material furnished unless the same is such as directed herein.

§ 2. The inspectors shall let the work to the lowest bidder after they shall advertise the same, with specifications of the work to be done, for two weeks, in some newspaper published in the city of Frankfort, Ky. They shall see that the work is properly done according to contract; and when the work is completed, and they accept the same, they shall certify that fact, together with the amount due the contractor or builder, which certificate, when examined and approved by the Governor, shall be a sufficient voucher upon which the Auditor shall draw his warrant on the Treasurer in favor of the builder for the amount due him: *Provided*, The entire cost of said building, sewer, and everything else herein authorized to be done, including advertising, which the Auditor will pay by warrant on the Treasurer, upon the certificate of the inspectors that the account is correct, shall not exceed one thousand and fifty dollars.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
James Blackburn,	Wm. Cassius Goodloe,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
Scott Brown,	James W. Hays,	G. W. Swoope,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton—32.
H. F. Finley,	D. H. Lindsay,	

In the negative—George Wright—1.

*Resolved*, That the title of said bill be as aforesaid.



Mr. Wright, from the Committee on Finance, reported

A bill to repeal section 2, article 16, chapter 92, of the General Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill.

Pending the consideration of which question, Mr. Briggs moved that the Senate do now adjourn.

Which motion was adopted.

And then the Senate adjourned.

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#### SATURDAY, JANUARY 29, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to revive to the Paducah, Benton, and Murray Gravel Road Company the franchises granted it by an act approved December 16th, 1871.

An act for the benefit of Joseph G. Morgan, of Clay county.

An act to increase the jurisdiction of the police judge of Caseyville, in Union county.

An act for the sale of Mount Horeb Parsonage.

An act authorizing the Boyd county court to issue the bonds of said county, and provide for the payment of the same, to build clerks' offices, and repair the jail of said county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act for the benefit of the public schools of the city of Louisville," approved January 31, 1873.

An act for the benefit of Tarlton C. Laughlin.

An act for the benefit of the public schools of the city of Louisville. With an amendment to the last named bill.

Which was referred to the Committee on Education.

That they had passed bills of the following titles, viz :

1. An act for the benefit of James Wallace, late sheriff of Christian county.

2. An act for the benefit of the ferry across the Ohio river from Livingston county, opposite Golconda, Illinois.

3. An act to authorize the Secretary of State to furnish to justices of the peace of district No. 6, in Grayson county, a copy each of the General Statutes.

4. An act for the benefit of M. C. Rowland, sheriff of Marshall county.

5. An act empowering the Governor of this Commonwealth to appoint a sheriff for Breathitt county, and agree with him as to compensation.

6. An act for the benefit of Polly Davis, administratrix of R. P. Davis, late surveyor of Breathitt county.

7. An act for the benefit of George W. Williams, of Christian county.

8. An act for the benefit of J. C. Andrews, of Clinton county.

9. An act for the benefit of Charles Breeding, of Gallatin county.

10. An act for the benefit of the Louisville Water-works.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 4th, 5th, and 10th to the Committee on Finance; the 2d to the Committee on Propositions and Grievances; the 3d and 6th to the Committee on Courts of Justice, and the 7th, 8th, and 9th to the Committee on Claims.

On motion of Mr. R. G. Hays, leave of absence, indefinitely, was granted Mr. Barbour.

Mr. Vories moved the following resolution, viz :

WHEREAS, It has come to the knowledge of this Senate that many immigrants would be desirous of locating in this State, provided sufficient information of the mineral and other resources of the State were properly disseminated ; therefore,

*Be it resolved by the Senate,* That a committee of three be appointed by the Speaker, to open up communication with the several Bureaus in the United States, and report such information as they may deem necessary to the Senate.

Which was adopted, and the Speaker appointed Messrs. Vories, Cunningham, and Jenkins said committee.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to change the time of holding justices' courts in Washington county.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved,* That the title of said bill be as aforesaid.

Mr. Tyler moved the following resolution, viz :

*Resolved,* That the Auditor, D. Howard Smith, be, and is hereby, directed and required to report to this General Assembly whether all of the \$50,000 set apart and appropriated as a Secret Service Fund, by an act, entitled "An act appropriating money to a State Secret Service Fund," approved August 22, 1862, has been expended ; as also where and by whose direction used or drawn.

Which was adopted.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the United Baptist Church, Brooksville, in Bracken county.

An act to amend an act to amend and reduce into one the several acts in regard to the town of Catlettsburg.

An act for the benefit of the Bardstown and Louisville Turnpike Road Company.

Resolution directing the printing of addresses on the death of Gen. John C. Breckinridge.

Mr. Cleveland moved that a committee be appointed to ask the consent of the House of Representatives to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act for the benefit of the public schools of the city of Louisville.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Barbour, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	J. R. Leslie,
James Blackburn,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon—14.
H. F. Finley,	S. H. Jenkins,	

Those who voted in the negative, were—

Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	C. N. Pendleton,	C. J. Walton,
Joseph Gardner,	Joseph B. Read,	George Wright—20.
Duncan Harding,	Robert Simmons,	

The Senate resumed the consideration of the unfinished report from the Committee on Courts of Justice, it being a bill from the House of Representatives, entitled

An act for the benefit of C. W. Thompson, of Metcalfe county.

Said bill was amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of the unfinished report of yesterday from the Committee on Finance, it being an engrossed bill, entitled

An act to repeal section 2, article 16, chapter 92, of the General Statutes.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
James Blackburn,	James B. Garnett,	Joseph B. Read,



W. W. Culbertson,	R. G. Hays,	E. W. Turner,
Andrew J. Ewing,	B. W. S. Huffaker,	George Wright—14.
H. F. Finley,	John Hyden,	

Those who voted in the negative, were—

Robert A. Briggs,	James W. Hays,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	Robert Simmons,	C. J. Walton—18.

So said bill was rejected.

Said bill reads as follows, viz :

WHEREAS, It has been made known that there are various suits now pending in the various State courts of this State against persons who, through inadvertence and for want of information, have failed to comply with the provisions of section 2, article 16, chapter 92, of the General Statutes, title "Revenue and Taxation," and by reason of such failure have incurred heavy penalties thereby. The enforcement of said section 2, article 16, chapter 92, of the General Statutes, is of no public utility, but, on the contrary, serves to prevent investments in mineral and farm lands; and the enforcement of said statute is a source of great litigation and annoyance to non-residents of this State, as well as citizens thereof, who own lands in counties other than that in which they reside; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That section 2, article 16, chapter 92, of the General Statutes, be, and the same is hereby, repealed.

§ 2. That this act take effect and be in force from and after its passage.

Mr. R. G. Hays, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties,

Reported the same without amendment.

*Ordered,* That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved,* That said bill do pass, and that the title thereof be as aforesaid.

Mr. J. W. Hays moved the following resolution, viz :

*Resolved,* That the use of this Hall is hereby tendered for Monday night, the 31st inst., to Wm. J. Heady, for a lecture upon the relation of the States to the Federal Government, the mission of the Democratic party—its press, public men, dead and living.

Which was adopted.

Mr. Ewing, from the Committee on Finance, reported

A bill for the benefit of Stephen Nethercutt, late sheriff and collector of the revenue of Carter county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of A. B. McGuire, of Owsley county;

An act to legalize certain orders of the Gallatin county court of claims;

An act to legalize certain acts of the Mercer county court;

An act for the benefit of Thomas R. Hume and others, of Madison county;

And bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Perry Jefferson, late sheriff of Mason county, and his deputies;

An act for the benefit of R. W. Dickerson;

An act for the benefit of R. H. Morrow, sheriff of Gallatin county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the Committee had performed that duty.

Leave was given to bring in the following bill, viz :

On motion of Mr. Ewing—

A bill for the benefit of Jeremiah Biggs, late jailer of Carter county.

*Ordered*, That the Committee on Claims prepare and bring in the same.

The Senate, according to order, took up for consideration the resolution heretofore proposed by Mr. Hodge, entitled

Resolution directing our Senators and requesting our Representatives in Congress to vote in aid of the Texas Pacific Railroad,

Together with the amendment proposed by the Committee on Railroads as a substitute for said resolution.

Said resolution reads as follows, viz :

WHEREAS, The Congress of the United States having voted nearly \$200,000,000 in bonds and money, and over 150,000,000 acres of land, for the construction of public improvements in the Northern States and Territories, a large portion of which was for the building of the Union and Central Pacific Railroad in the latitude of Chicago and the lakes, and a great preponderance of wealth, power, and prestige having been fostered thereby to the great advantage of that section of the Union, to the great disparagement of the other sections, while both represent a common country, a common treasury, and common taxation ; and

WHEREAS, Congress having voted but little and inappreciable aid to foster and promote the commerce, wealth, and prosperity of the southern section of the Union, many interests of which are destroyed, and others prostrate or undeveloped from this long-continued policy of neglect of one portion of our common country, and legislative favoritism to the other ; and

WHEREAS, Another and a competing national trans-continental highway, located on the 32d parallel of latitude, and connecting the many commercial points on the Mississippi river and the Gulf of Mexico, southward from St. Louis, with the Pacific coast, by a common trunk-line *via* Shreveport and El Paso, to San Diego, uninterrupted by snows, located on more favorable grades, and throughout a country more productive than any other, forming the most direct line of transit across the territory of the United States from the Pacific to the Atlantic which can be built, and opening up the direct trade of the 9,000,000 people of Mexico to our country, developing the agricultural, mineral, and grazing resources of Texas, New Mexico, Arizona, Southern California, Lower California, Sonora, and Chihuahua, and introducing emigration and capital to a vast area of our territory which cannot be otherwise approached for want of navigable streams, and commanding the commerce and trade of Asia, the East Indies, and the Pacific coast with Europe and our own country, is imperatively demanded in the interests of the whole people, and especially in the interests of the prostrate and impoverished South, to secure economy in the Indian Military Department, to cheapen transportation by competition, to increase the industries and taxable wealth of the nation, to give employment to idle capital and labor, to increase the earnings and value of our local railways, and to enrich and revi-



talize the varied languishing interests of all sections of our common country; and

WHEREAS, The unavailing efforts and experiments of eighteen years to construct a Pacific railroad on this route having demonstrated the impossibility of its accomplishment by private enterprise and capital, unaided by the General Government, and without such aid it being probable that the southern section and the whole country will be deprived of the benefits of such a competing Pacific line for an indefinite period of years; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That our Senators in Congress be instructed, and our Representatives be requested, to use all proper efforts to secure the passage of an act which, guarding the interests of the Government and the rights of the people properly, shall afford to the Texas and Pacific Railroad such aid as will insure its early completion; and that, while opposed to any further grant by Congress of Government bonds or money to railroads, this body regards the plan of guaranteeing the interest on the bonds of the company by the Government, guarding it against liability by a first lien on the road and all its property, including the lands granted by the Government, as the most feasible and proper manner in which such aid can be extended.

The substitute proposed by the committee reads as follows, viz :

WHEREAS, The completion of the Union Pacific Railroad has developed a trade with China, Japan, and the South Pacific Islands far in excess of anything hitherto known, and stimulated the productive capacity of the Pacific slope to an extent beyond its powers to relieve by reasonably rapid transportation; and whereas, in the opinion of this body the proper relief will be found in a competing line constructed further south, which will, in addition, meet the requirements of increasing growth and material prosperity of the entire southern section of our country; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That our Senators and our Representatives in Congress be requested, if in their judgment such legislation be authorized by the Constitution of the United States, and beneficial to the people thereof, to use all proper efforts to secure the passage of an act, which, regarding the interests of the Government and the rights of the people properly, shall afford to the Texas and Pacific Railroad such aid as will insure its early completion; and that, while opposed to any further grant by Congress of Government bonds or money to railroads, this body regards the plan of guaranteeing the interest on the bonds of the company by the Government, guarding it against liability by a first lien on the road and all its property, including the lands granted by the Government, as the most feasible and proper manner in which such aid can be extended.

Mr. Cunningham then proposed to amend said substitute as follows, viz :

“ In the fifth line strike out the word ‘insure’ and insert the word ‘promote.’ ”

Which was adopted.



Mr. Cunningham also proposed to amend said substitute as follows, viz :

“ In the ninth line, strike out the words ‘ guarding it against liability,’ and insert in lieu thereof the words ‘ indemnifying it against loss.’ ”

Which was adopted.

The question was then taken on the adoption of the substitute, as amended, and it was decided in the affirmative.

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—26.
Joseph Gardner,	R. B. Lovel,	

Those who voted in the negative, were—

H. F. Finley,	Sumner Marble,	E. W. Turner,
S. H. Jenkins,	G. W. Swoope,	H. A. Tyler—6.

*Resolved*, That the title of said resolution be changed so as to read,  
Resolution requesting our Senators, and Representatives in Congress to vote in aid of the Texas Pacific Railroad.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to withdraw, unsigned, from the hands of the Governor a bill, which originated in the Senate, and that had passed the two Houses, entitled

An act for the benefit of Lincoln county.

Which was granted, and Messrs. Varnon and Turner were appointed said committee.

After a short time, Mr. Varnon reported that the committee had performed the duty assigned them.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act for the benefit of Lincoln county.

Which was granted.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act for the benefit of Lincoln county.

With an amendment thereto, which was taken up, twice read, and concurred in.

The Senate took up for consideration the resolution heretofore proposed by Mr. Cleveland, entitled

Resolution in relation to the death of ex-Governor Thomas E. Bramlette.

Said resolution reads as follows, viz :

Thomas E. Bramlette, late Governor of the Commonwealth, a distinguished citizen of the State, having departed this life since the adjournment of the last Legislature, we deem it becoming that we, the representatives of the people, should pay respect to his memory ; wherefore,

1. *Resolved*, That in the death of Thomas E. Bramlette the Commonwealth has lost one of her gifted and worthy citizens.

2. That in the various public trusts which he filled in the State as a Representative in the Legislature, Commonwealth's attorney, circuit judge, and Governor of the Commonwealth, in each and all of them he ever demeaned himself in such manner as to reflect back upon the Commonwealth the honors she conferred upon him.

3. That as a private citizen he was brave, generous, gentle, and kind ; he cherished no revengeful hates—took more pleasure in forgiving an injury than in revenge. He was a genial companion, a faithful friend, and an ornament to society.

4. That as a mark of our respect for the memory of the deceased, that these resolutions be spread upon the Journal of the Senate, and the clerk directed to forward a copy to the family of the deceased.

5. That as a further mark of our respect, we do now adjourn.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative, without a dissenting voice.

And then the Senate adjourned.

MONDAY, JANUARY 31, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act for the benefit of Cornelia Bush.

That they had passed a bill, which originated in the Senate, entitled

An act for the benefit of Francis Adwell.

That they had passed bills of the following titles, viz :

1 An act to amend an act, entitled "An act for the benefit of O. C. Bowles and George N. Brown, and their associates, lessees, and vendees," approved March 15, 1871.

2. An act concerning executors and administrators.

3. An act for the benefit of Carlisle Collum, of Greenup county.

4. An act for the benefit of B. T. Morris, of Carter county.

5. An act for the benefit of Jeremiah Biggs, late jailer of Carter county, for taking care of pauper lunatics.

6. An act for the benefit of Stephen Nethercutt, of Carter county.

7. An act for the benefit of Z. Tyran, of Carter county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on the Judiciary; the 2d and 3d to the Committee on Courts of Justice, and the 4th, 5th, 6th, and 7th to the Committee on Claims.

Mr. Simmons moved to reconsider the vote by which the Senate had, on Saturday, rejected a bill, entitled

An act to repeal section 2, article 16, chapter 92, of the General Statutes.

Which motion was simply entered.

Mr. Lovel presented the memorial of Richard H. Stanton, proposing to furnish copies of Stanton's Treatise, &c., for use of the State.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution to appoint a joint committee to ascertain result of vote on Constitutional Convention.

Which was taken up, twice read, and concurred in, and the Speaker appointed Messrs. J. W. Hays and Swoope said committee on the part of the Senate.

A message was received from the House of Representatives, announcing that they had concurred in the first amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of C. W. Thompson, of Metcalfe county,

And that they had refused to concur in the second amendment proposed by the Senate to said bill.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cleveland, from the Committee on Appropriations—

A bill for the benefit of James P. Webb, of Grant county.

By Mr. Leslie, from the Committee on Courts of Justice—

A bill empowering the county court of claims of Clay county to sell its poor-house farm and tenements.

By same—

A bill to change the time of holding the Letcher quarterly courts.

By same—

A bill for the benefit of John Wallace, late clerk of Boone county and circuit courts.

By Mr. Tyler, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to reduce into one the several acts concerning the town of Lagrange," approved February 25, 1869.

By Mr. Read, from the Committee on Education—

A bill for the benefit of school district No. 39, in Bath county.

By same—

A bill to amend the charter and change the name of the Chestnut Street Presbyterian Church of Louisville.

By Mr. Simmons, from the Committee on Courts of Justice—

A bill for the benefit of school district No. 21, Kenton county.

By Mr. Walton, from the Committee on Courts of Justice—

A bill for the benefit of school district No. 12, in Warren county.



By Mr. R. G. Hays, from the Committee on Finance—

A bill for the benefit of W. B. Withers, sheriff of Lincoln county.

By same—

A bill for the benefit of Hugh Mulholland.

By same—

A bill for the benefit of John C. Broadhead.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the last two named bills were placed in the orders of the day, and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Read, from the Committee on Education, to whom was recommended a bill, entitled

A bill to incorporate the district of Cold Spring, in Campbell county,

Reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act for the benefit of the public schools of the city of Louisville.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

The Senate, according to order, took up for consideration a bill, entitled

A bill to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

*Ordered*, That the further consideration of said bill be postponed and made the special order of the day for Friday, February 4th, at 11 o'clock, A. M.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of R. H. Morrow, sheriff of Gallatin county.

An act for the benefit of R. W. Dickerson.

An act for the benefit of Perry Jefferson, late sheriff of Mason county, and his deputies.

The several committees to whom were referred leave to bring in bills of the following titles, viz :

Mr. Leslie, from the Committee on Courts of Justice—

A bill to reduce the fees of justices of the peace in this Commonwealth ;

Mr. Tyler, from the Committee on Education—

A bill to amend an act for the benefit of the State Union or Salt Well Church, in Bath county, approved March 8, 1871 ;

Same—

A bill to amend section 1, article 7, chapter 17, of the General Statutes ;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Turner, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16th, 1869.

By Mr. Read, from the Committee on Education—

An act for the benefit of school districts Nos. 18 and 44, of Henderson county.

By Mr. Simmons, from the Committee on Education—

An act for the benefit of school district No. 51, in Greenup county.

By Mr. Gardner, from the Committee on Education—

An act to amend section 8 of article 7 of chapter 18 of General Statutes.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to continue in force an act approved February 3d, 1874, for the benefit of W. L. Crumbaugh, late sheriff of Lyon county.

By Mr. R. G. Hays, from the Committee on Finance.

An act for the benefit of M. C. Rowland, sheriff of Marshall county.

By Mr. Tyler, from the Committee on Education—

An act for the benefit of Lawrence R. Steffey, of Barren county.

With an amendment as a substitute for the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Gardner, from the Committee on Education, reported

A bill to incorporate the Louisville Rugby School.

Mr. Cunningham raised the point of order that the said bill came within the provisions of rule 81 of the Senate, which point the Speaker decided as well taken.

Mr. Read then moved to suspend said rule.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	C. J. Walton,
Joseph Gardner,	Joseph B. Read,	George Wright—13.
James B. Garnett,		

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	R. B. Lovel,
Thos. J. Barker,	James W. Hays,	Sumner Marble,
James Blackburn,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	D. H. Lindsay,	W. L. Vories—18.

Mr. R. G. Hays, from the Committee on Finance, to whom was recommitted a bill, entitled

An act for the benefit of Thomas Shanks, sheriff of the county of Jefferson,

Reported the same with an amendment.

*Ordered*, That said bill be recommitted to the Committee on Finance, and that Mr. Tyler be directed to act with said committee in the consideration thereof.

Mr. Leslie, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of J. P. Nuckols, of Barren county,

Reported the same with an amendment.

Said bill reads as follows, viz :

WHEREAS, J. P. Nuckols, a licensed attorney at law, and is also clerk of Barren county court, and because of said clerkship he is prohibited from practicing law in all the courts of this Commonwealth ; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That J. P. Nuckols be, and he is hereby, excepted from the operation and provisions of said section 6 of article 13, chapter 29, so as to allow him to practice his profession in all the courts of this Commonwealth, except the court of which he is clerk for the time being : *Provided*, That no partner of said Nuckols shall be allowed to practice in the court of which said Nuckols is clerk.

§ 2. This act shall take effect and be in force from and after its passage.

Said amendment reads as follows, viz :

“Strike out the words ‘ article 13,’ in the third line of the first section of the bill, and insert in lieu thereof the words ‘ article 31.’ ”

Which was adopted.

Mr. Swoope then moved to amend said bill as follows, viz :

“ *Provided*, That the provisions of this act shall apply to all the clerks of this Commonwealth in the same manner and to the same extent that same apply to the clerk therein named.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	R. G. Hays,	S. H. Jenkins,
H. F. Finley,	B. W. S. Huffaker,	G. W. Swoope—7.
James W. Hays,		



Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. W. Culbertson,	D. H. Lindsay,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	W. L. Vories,
P. F. Edwards,	Sumner Marble,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—27.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Robert Simmons,
James Blackburn,	Duncan Harding,	E. W. Turner,
Robert A. Briggs,	George B. Hodge,	H. A. Tyler,
F. L. Cleveland,	J. R. Leslie,	W. L. Vories,
W. W. Culbertson,	D. H. Lindsay,	C. J. Walton,
P. F. Edwards,	Joseph B. Read,	George Wright—18.

Those who voted in the negative, were—

Thos. J. Barker,	R. G. Hays,	Sumner Marble,
W. A. Cunningham,	B. W. S. Huffaker,	C. N. Pendleton,
Andrew J. Ewing,	John Hyden,	J. H. Stanley,
H. F. Finley,	S. H. Jenkins,	G. W. Swoope,
James B. Garnett,	R. B. Lovel,	Thos. W. Varnon—16.
James W. Hays,		

*Resolved*, That the title of said bill be amended so as to read,

An act to amend section 6, article 31, chapter 29, General Statutes, for the benefit of J. P. Nuckols, of Barren county.

Leave was given to bring in the following bills, viz :

On motion of Mr. Hodge—

1. A bill to amend section 5 of the Civil Code of Practice.

On motion of Mr. Finley—

2. A bill to repeal an act, entitled "An act to protect fish in Cumberland river above the falls."

On motion of same—

3. A bill to amend section 1, article 1, chapter 62, of the General Statutes, title "Juries, Grand and Petit."

On motion of same—

4. A bill to secure the punishment of crime in that portion of Kentucky bordering on the State of Tennessee.

On motion of same—

5. A bill to incorporate the town of McKee, in Jackson county.

On motion of same—

6. A bill to create the office of supervisor of roads in the various counties of this Commonwealth.

On motion of Mr. Lovel—

7. A bill for the benefit of Lewis county.

On motion of same—

8. A bill directing the purchase of Stanton's Treatise on Law, relating to the powers and duties of justices of the peace and other officers of this Commonwealth.

On motion of same—

9. A bill to amend the charter of the Kentucky and Great Eastern Railroad Company.

On motion of Mr. Simmons—

10. A bill for the benefit of H. S. Percival, sheriff of Kenton county.

On motion of Mr. Cleveland—

11. A bill for the benefit of the president, directors, and company of the Bank of Kentucky.

On motion of Mr. Read—

12. A bill to reduce the number of jurors in civil and criminal cases in this Commonwealth.

On motion of Mr. Walton—

13. A bill to rebuild the State bridge across Green river at Rio.

On motion of Mr. J. W. Hays—

14. A bill to release the stock which the State holds in the Louisville and Elizabethtown Turnpike Road leading to the mouth of Salt river, in Hardin county.

On motion of Mr. Vories—

15. A bill for the benefit of R. H. Collins.

On motion of Mr. Culbertson—

16. A bill giving the consent of the State of Kentucky to the purchase or condemnation by the United States of land within the State for public purposes.

On motion of Mr. Edwards—

17. A bill for the benefit of L. Cashman, of Breckinridge county.

On motion of same—

18. A bill for the benefit of S. C. Cramfort, of Breckinridge county.

On motion of same—

19. A bill for the benefit of A. J. Bertram, of Edmonson county.

On motion of Mr. Garnett—

20. A bill to regulate the inspection and sale of tobacco in Louisville.

On motion of same—

21. A bill to legalize the actions of the Livingston county court at its October term, 1872.

On motion of Mr. Gardner—

22. A bill for the benefit of B. F. Howard, clerk of the Magoffin county court.

On motion of same—

23. A bill for the benefit of Thomas Greenwade, late sheriff of Menifee county.

On motion of same—

24. A bill to incorporate Cox Lodge, No. 464, of F. and A. Masons, in Wolfe county.

On motion of same—

25. A bill for the benefit of Samuel Spradlin, clerk of the Wolfe circuit court.

On motion of same—

26. A bill to have certain books furnished to Menifee county.

On motion of Mr. Barker—

27. A bill to amend an act, entitled "An act in relation to official sales in Meade county," approved March 20, 1870, making the provisions of said act apply to the counties of Shelby and Nelson.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 2d, 3d, 4th, 5th, 6th, and 27th; the Committee on Propositions and Grievances the 7th; the Committee on the Judiciary the 8th, 14th, 21st, 22d, 24th, 25th, and 26th; the Committee on Railroads the 9th; the Committee on Claims the 10th, 17th, 18th, 19th, and 23d; the Committee on Banks and Insurance the 11th; the Committee on Courts of Justice the 12th; the Committee on Internal Improvement the 13th; the Committee on Education the 15th; the Committee on Federal Relations the 16th, and the Committee on Agriculture and Manufactures the 20th.

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Francis Adwell ;

An act to incorporate Smith's Grove College, in Warren county ;

An act for the benefit of Lincoln county ;

An act to amend an act, entitled "An act for the benefit of the public schools of the city of Louisville," approved January 31, 1873 ;

An act for the benefit of Tarlton C. Laughlin ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the Committee had performed that duty.

And then the Senate adjourned.

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## TUESDAY, FEBRUARY 1, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to legalize certain orders of the Gallatin county court of claims.

An act to legalize certain acts of the Mercer county court.

An act for the benefit of A. B. McGuire, of Owsley county.

An act for the benefit of Thomas R. Hume and others, of Madison county.

That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate Harrodsburg Library Association.

An act for the benefit of the town marshal of Monterey, in Owen county.



An act to legalize the acts of the Meade county court.

That they had passed bills and concurred in the adoption of resolutions, which originated in the Senate, of the following titles, viz :

An act for the benefit of John B. Ruark, of Hart county.

An act for the benefit of the sheriff and jailer of Gallatin county.

An act for the benefit of Samuel Orr, of Graves county.

Resolution authorizing a joint committee to inquire into appropriation of money to charitable institutions.

Resolution directing the purchasing of maps of the State of Kentucky for the Senate and House of Representatives.

Resolution calling on the Auditor for information in regard to attorneys employed to represent the State in certain cases.

That they had passed bills and resolutions of the following titles, viz :

1. An act for the benefit of B. D. Nixon, jailer of Bath county.

2. An act for the benefit of Thos. J. Winfrey, of Russell county.

3. An act for the benefit of Fanny Carr.

4. An act for the benefit of Felix Gibson, of Wayne county.

5. An act for the benefit of G. W. Whitesides, for taking care of pauper lunatic.

6. An act for the benefit of S. H. Cassidy, of Crittenden county.

7. An act for the benefit of E. G. Davidson, of Clinton county.

8. An act for the benefit of M. J. Miller, committee for Lucinda Mullins, pauper idiot, of Rockcastle county.

9. An act concerning judicial sales of the property and franchises of railroads and turnpike corporations.

10. An act to change the time of holding the quarterly courts of Pendleton county.

11. Resolution directing Public Printer to print 200 copies of the Journals for the use of the General Assembly.

12. Resolution directing Librarian to have air-grates put under Quarter-Master and Adjutant General's office.

13. Resolution in regard to redistricting the State into judicial districts.

14. Resolution in reference to the surviving soldiers and widows of the Mexican War.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—

the 1st, 2d, 3d, 4th, 5th, 7th, and 8th to the Committee on Claims; the 6th to the Committee on Finance; the 9th to the Committee on the Judiciary; the 10th to the Committee on Courts of Justice; the 11th, a resolution, to the Committee on Printing; the 12th, a resolution, to the Committee on Library and Public Offices and Buildings; the 13th, a resolution, to the Committee on the Judiciary, and the 14th, a resolution, to the Committee on Military Affairs.

Leave was given to bring in the following bills, viz :

On motion of Mr. Varnon—

1. A bill to establish and maintain a graded school in the town of Harrodsburg and vicinity.

On motion of Mr. Goodloe—

2. A bill to protect game and small birds, and to prevent trespass.

On motion of same—

3. A bill to tax dogs and protect property in this Commonwealth.

On motion of same—

4. A bill to regulate elections for directors and other officers of private corporations.

On motion of Mr. Simmons—

5. A bill to incorporate the Ludlow and West Covington Suspension Bridge Street Railway Company.

On motion of Mr. Varnon—

6. A bill for the benefit of the contesting board in the case of Kennedy vs. Faulkner, in Garrard county.

On motion of Mr. Pendleton—

7. A bill amending the chapter on wills in the General Statutes.

On motion of Mr. Blackburn—

8. A bill to amend an act, entitled "An act to incorporate the Cleveland Orphan Institution," approved March 17, 1870.

On motion of Mr. Read—

9. A bill to amend chapter 56 of the General Statutes.

On motion of same—

10. A bill to incorporate the James Owen Lodge, Independent Sons of Honor, No. 1.

On motion of same—

11. A bill to amend chapter 12 of the General Statutes, relating to change of venue in civil cases.

*Ordered*, That the Committee on Education prepare and bring in the 1st; the Committee on the Judiciary the 2d, 6th, and 11th; the Committee on the General Statutes the 3d and 7th; the Committee

on Railroads the 4th and 5th; the Committee on Charitable Institutions the 8th, and the Committee on Courts of Justice the 9th.

The Senate took up for consideration

A bill for the benefit of Charles G. Wintersmith, of Hardin county.

*Ordered*, That the further consideration of said bill be postponed till Friday next, the 4th inst., at 11 o'clock, A. M.

The Senate took up for consideration bills of the following titles, viz :

A bill to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

A bill to amend an act, entitled "An act to change the time of holding circuit, criminal, and chancery courts in the 12th judicial district," approved 16th April, 1873.

*Ordered*, That said bills be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of the clerk of the Muhlenburg circuit court.

*Ordered*, That said bill be placed in the orders of the day.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of the Louisville Water-works.

Which was granted, and the bill delivered to the messenger.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Francis Adwell.

An act to amend an act, entitled "An act for the benefit of the public schools of the city of Louisville," approved January 31, 1873.

An act to incorporate Smith's Grove College, in Warren county.

An act for the benefit of the public schools of the city of Louisville.

An act for the benefit of Lincoln county.

The following petition was presented, viz :

By Mr. Edwards—

Petition of S. C. Crawford, praying the passage of an act for his benefit.

Which was received, the reading dispensed with, and referred to the Committee on Claims.

Mr. R. G. Hays, from the Committee on Finance, to whom was referred leave to bring in

A bill to amend section 96 of the charter of the city of Louisville,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Hyden, from the Committee on Courts of Justice—

A bill to repeal the charter of the town of Geigersville, in the counties of Boyd and Carter.

By Mr. Ewing, from the Committee on Finance—

A bill declaring itinerant photograph venders peddlers.

By Mr. R. G. Hays, from the Committee on Finance—

A bill for the benefit of the sureties of A. C. Bowman, late sheriff of Breathitt county.

By same—

A bill for the benefit of F. M. Hunt, of Laurel county.

By same—

A bill to give the sheriff of Gallatin county until the third Monday in February to execute bond for the collection of the revenue.

By same—

A bill for the benefit of Farrish Arnett, late sheriff of Magoffin county.

By same—

A bill to amend an act, entitled "An act to incorporate the Henderson Building and Loan Association," approved April 24, 1873.

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of Thomas H. Spradlin, committee for David Spradlin, an idiot, of Wayne county.



By same—

A bill for the benefit of John P. Salyer and Augustus Arnett, of Magoffin county.

By Mr. R. G. Hays, from the Committee on Finance—

A bill to repeal sections 3, 5, 7, and 8, of an act, entitled "An act to amend chapter 92, title 'Revenue and Taxation,' of General Statutes."

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the last named bill was ordered to be printed and recommitted to the Committee on Finance, and all the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wright, from the Committee on Finance, to whom was recommended

A bill to amend chapter 1544, entitled "An act to amend Green River Female College," and other purposes, approved February 20, 1869,

Reported the same with sundry amendments.

Which were adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to amend an act, entitled "An act authorizing rewards for killing wolves, red foxes, &c.," approved 13th April, 1873.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Sundry amendments were proposed to said bill.

Which were adopted.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the Committee on Finance, to whom they had been referred, viz:

By Mr. R. G. Hays—

An act to amend an act, entitled "An act to secure the payment into the Treasury of all fines, taxes, and license fees collected by trustees of the jury fund, clerks, and other officers," approved February 23, 1874.

By same—

An act for the benefit of James Wallace, late sheriff of Christian county.

By same—

An act for the benefit of John Lay, sheriff of Knox county.

By same—

An act for the benefit of Elizabeth Durham, of Green county.

By same—

An act giving the assessor of Trigg county one month additional time to return his books.

By Mr. Wright—

An act for the benefit of R. N. Walker, late sheriff of Crittenden county.

By Mr. R. G. Hays—

An act empowering the Governor of this Commonwealth to appoint a sheriff for Breathitt county, and agree with him as to compensation.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill for the benefit of Madison Thomas, committee of Harry P. Thomas, of Lewis county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and is hereby, directed to draw his warrant on the Treasury in favor of Madison Thomas, committee of Harry P. Thomas, for the sum of three hundred dollars, being in full of amount due said Madison Thomas for keeping Harry P. Thomas, a pauper lunatic, of Lewis county, from the 28th day of March, 1872, until October, 1873, said Harry P. Thomas having been found a lunatic by a jury at the December term, 1870, of the Lewis circuit court.

§ 2. This act shall be in force and effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—30.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to incorporate the Louisville Bank of Commerce.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a bank of discount and deposit in

the city of Louisville, with a capital of one million of dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of "The Louisville Bank of Commerce," and shall be capable of contracting and being contracted with, of suing and being sued, of impleading and being impleaded, and of answering and defending in all courts and places whatever; it may have a common seal, and change and renew the same at pleasure.

§ 2. *Be it further enacted*, That said bank shall be under the control and direction of not less than three nor more than seven directors, each of whom shall be a stockholder and resident of the State of Kentucky. After the first election they shall be elected annually on the second Monday in January in each year, and hold office until their successors are duly elected and qualified. They shall elect one of their number president, and shall hold regular meetings at such times as may be fixed by the by-laws, and other meetings may be held whenever deemed necessary; and in case of the death or resignation of any director, the vacancy shall be filled by the board of directors. The directors shall have power to receive subscriptions for so many shares of the stock of said company remaining unsold as they may at any time choose to sell, to declare dividends of the profits arising out of the business, and to appoint such officers, agents, and servants as they may deem necessary to conduct the business of the bank, and pay them such wages and salaries, and take from them such bonds, to secure the faithful performance of their duties, as they may think proper and reasonable. The stock shall be deemed personal property, and shall be assignable only on the books of the bank, under such rules as the board of directors shall from time to time establish.

§ 3. *Be it further enacted*, That R. D. Baker, Joseph D. Allen, Charles W. Gheens, F. B. Moodie, and Wm. H. Saunders are appointed commissioners, any two of whom may open books and receive subscriptions for the capital stock; and when one thousand shares or more of stock shall have been subscribed for, it shall be their duty to appoint a day for the election of a board of directors, and give notice, in two or more daily newspapers published in the city of Louisville, of the election of said directors, who shall hold their office until the ensuing annual election. The payment for the shares subscribed shall be made as follows: there shall be paid 20 per cent. on the amount of each subscription within ten days before the election of the first board of directors, and the residue in installments of 20 per cent. every thirty days: *Provided*, That after one hundred thousand dollars shall have been paid, the board of directors shall have power to prolong the time for the residue; and should any of the subscribers fail to pay their subscriptions of stock as herein provided, the directors may, after giving notice of their intention in some daily newspaper in said city, for thirty days, forfeit said stock, by resolution entered on their records, and resell the same at such times as they may deem expedient; and all partial payments made on any stock which shall be thus forfeited shall be held for the benefit of the delinquent stockholder, after deducting therefrom any unpaid calls thereon. Said corporation may commence business when fifty thousand dollars have been paid in, and the president and directors shall have made oath of the fact of such payment before some judge, justice, or notary public.

§ 4. *Be it further enacted*, That said bank may receive deposits of gold, silver, bank notes, or other notes which may be lawfully circulated as



money, and repay the same in such manner and at such times as may be agreed upon with the depositors by special or general contracts; and said bank may deal in bonds, stocks, bills of exchange, and promissory notes, and other evidences of debt, loan money at a rate not exceeding the rate allowed by law, take personal and other security for all loans or debts, and dispose of the same as may be agreed upon; and the promissory notes, made negotiable and payable at its banking house, or at any bank or banking house, and inland bills of exchange which may be discounted by it, shall be, and they are hereby, put upon the same footing as foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the makers, drawers, and indorsers.

§ 5. *Be it further enacted*, That the said corporation may acquire, hold, possess, use, occupy, and enjoy all such real estate, goods and chattels, as may be convenient for the transaction of its business, or that may be conveyed to it as security for any debt, or purchased in satisfaction of, or to aid in the satisfaction of, any debt, judgment, or decree, and sell and convey the same; and it shall be the duty of the president of this bank, on the first day of January in each year, to pay into the State Treasury, for the benefit of the revenue, fifty cents on each one hundred dollars of stock held and paid for in said bank, which shall be in full of all tax or bonus thereon.

§ 6. *Be it further enacted*, That if a cashier, or a clerk, teller, or other officer of said bank, shall appropriate any of the funds to his own use, or shall willfully fail to make correct entries, or knowingly make false entries, in the books of the bank, with intent to cheat or defraud the corporation or any person, or to conceal any improper appropriation of funds, the officer so offending shall be deemed guilty of felony, and shall, on conviction thereof, be confined in the jail or penitentiary of this Commonwealth for a period of not less than two nor more than twenty years.

§ 7. *Be it further enacted*, That this act shall take effect from its passage, and continue in force thirty years. The directors may make such by-laws as they deem necessary, provided the same be not contrary to the Constitution of this State or of the United States.

§ 8. The Legislature reserves to itself the right to alter or amend this charter.

Mr. Cunningham moved to amend said bill as follows, viz :

“In the third section, after the words ‘any unpaid calls thereon,’ add the following: ‘*Provided*, That in no case shall said deduction exceed \$20 on each share of said stock.’”

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	J. H. Stanley,
James Blackburn,	B. W. S. Huffaker,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	H. A. Tyler,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories,
P. F. Edwards,	Joseph B. Read,	C. J. Walton,
Andrew J. Ewing,	Robert Simmons,	George Wright—19.
Joseph Gardner,		

Those who voted in the negative, were—

Thos. J. Barker,	W. A. Cunningham,	S. H. Jenkins,
Wm. J. Berry,	H. F. Finley,	J. R. Leslie,
Robert A. Briggs,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	John Hyden,	E. W. Turner—12.

Mr. Wright, from the Committee on Finance, reported

A bill for the benefit of B. R. Nall and other sureties of Joseph Gore, late sheriff of Larue county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Joseph Gore, late sheriff of Larue county, failed, and his sureties, B. R. Nall, Henry Ash, Richard Crady, James Crady, and Wm. Edlien, had to pay, among other things, between four and five thousand dollars of the revenue for the year 1874, with ten per cent. thereon from the 1st of June, 1873; and it appearing from the records in the Auditor's Office that said sureties have paid into the Treasury the ten per cent., amounting to the sum of four hundred and twenty-five dollars and ninety-four cents; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor is hereby authorized and directed to draw his warrant on the Treasurer in favor of B. R. Nall, Henry Ash, Richard Crady, James Crady, and Wm. Edlien, for the sum of four hundred and twenty-five dollars and ninety-four cents, it being the amount of the ten per cent. paid into the Treasury by said sureties on the revenue for the year 1874.

§ 2. That this act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Thos. J. Barker,	Wm. Cassius Goodloe,	Robert Simmons,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,

Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—28.
H. F. Finley,		

In the negative—G. W. Swoope—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Read moved to suspend rule 81 in order to allow Mr. Culbertson to report a bill from the Committee on Finance.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	George B. Hodge,	Robert Simmons,
H. F. Finley,	B. W. S. Huffaker,	J. H. Stanley,
Joseph Gardner,	John Hyden,	C. J. Walton—12.

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	G. W. Swoope,
Wm. J. Berry,	Wm. Cassius Goodloe,	E. W. Turner,
James Blackburn,	James W. Hays,	H. A. Tyler,
Robert A. Briggs,	S. H. Jenkins,	Thos. W. Varnon,
Scott Brown,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	George Wright—22.
P. F. Edwards,		

Mr. Wright then moved to reconsider the vote by which the Senate had refused to suspend rule 81.

Mr. Barker moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cunningham and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	J. H. Stanley,
James Blackburn,	James W. Hays,	G. W. Swoope,
Robert A. Briggs,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories--19.
Andrew J. Ewing,		

Those who voted in the negative, were—

Wm. J. Berry,	Joseph Gardner,	Robert Simmons,
F. L. Cleveland,	R. G. Hays,	Thos. W. Varnon,
W. W. Culbertson,	B. W. S. Huffaker,	C. J. Walton,
P. F. Edwards,	R. B. Lovel,	George Wright—13.
H. F. Finley,		

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, entitled

An act to legalize the acts of the Meade county court;

An act to authorize the inspectors of the Penitentiary to have improvements made for the convenience of convicts;

An act for the benefit of the town marshal of Monterey, in Owen county;

And a bill, which originated in the Senate, entitled

An act for the benefit of the public schools of the city of Louisville.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the Committee had performed that duty.

And then the Senate adjourned.



WEDNESDAY, FEBRUARY 2, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to authorize the inspectors of the penitentiary to have improvements made for the convenience of convicts.

An act to legalize the acts of the Meade county court.

An act for the benefit of the town marshal of Monterey, in Owen county.

That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of J. P. Nuckols, of Barren county.

An act for the benefit of Lawrence R. Steffey, of Barren county.

An act empowering the Governor of this Commonwealth to appoint a sheriff of Breathitt county, and agree with him as to compensation.

That they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of Leonard Weitmeir, of Bracken county.

An act for the benefit of James Wilson, of Bell county.

An act to relieve the sheriff of Allen county from collecting railroad tax and other purposes.

An act to empower W. J. Salyer, collector of railroad tax in Montgomery county, to proceed to the collection of said tax by himself or deputy.

An act for the benefit of J. J. Nesbitt, executor of Wm. Richards.

An act for the benefit of the jailer of Trigg county.

Resolution directing the Auditor to report the amount of fees received by him in 1875.

With an amendment to said resolution.

That they had passed bills and adopted a resolution of the following titles, viz :

1. An act for the benefit of John Welch, of Franklin county.

2. An act for the benefit of John E. Abbott, of Hart county.
3. An act to refund to J. E. Abbott, administrator of D. C. Doran, certain damages paid to the State.
4. An act for the benefit of T. C. Gillenwaters, committee for Sarah T. Morrison, a pauper idiot, of Barren county.
5. An act for the benefit of W. F. Austin, a pauper idiot, of Barren county.
6. An act for the benefit of John W. Mills, of Adair county.
7. An act regulating the duties of trustees, &c., in certain cases.
8. An act for the benefit of the administrator of J. L. Stubbs, late clerk of the Lyon county court.
9. An act to authorize the Lawrence county court to levy an additional tax for road and bridge purposes, and for public improvements.
10. An act to regulate the purchase or sale of scrap iron, old metals, and second-hand furniture, in certain counties of this State.
11. An act authorizing Ballard county court to levy an ad valorem tax.
12. An act for the benefit of Henry F. Cornelius, A. Cornelius, and J. H. Gooch.
13. An act to repeal a part of section 2 of an act, entitled "An act to incorporate the Licking River Lumber and Mining Company," approved January 25, 1868.
14. An act to prevent the floating of logs, rafts, wood, and other lumber loose down Licking river.
15. An act for the benefit of the Louisville Water-works.
16. An act for the benefit of the Farmers and Drovers' Insurance Company, of Louisville, Ky.
17. An act to repeal chapter 332 of Session Acts 1873, and chapter 248 of Session Acts 1873-'4.
18. Resolution authorizing the appointment of a joint committee to report on the utility of Patterson's Forms.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, 5th, 6th, and 7th to the Committee on Claims; the 8th and 11th to the Committee on Courts of Justice; the 9th to the Committee on Internal Improvement; the 10th, 13th, and 14th to the

Committee on the Judiciary; the 12th and 15th to the Committee on Finance; the 18th, the resolution, to the Committee on Courts of Justice, and the 16th and 17th were ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz:

On motion of Mr. Turner—

1. A bill to amend article 3, chapter 52, of the General Statutes, title "Husband and Wife."

On motion of Mr. Swoope—

2. A bill to reduce into one all the acts relating to the city of Owensboro.

On motion of Mr. Marble—

3. A bill to incorporate the Kentucky Wool, Land, and Loan Association.

On motion of same—

4. A bill for the benefit of B. D. Bailey, of Webster county.

On motion of Mr. Lovel—

5. A bill to amend an act, entitled "An act to incorporate the Masonic Mutual Benefit Association of Maysville."

On motion of Mr. Cunningham—

6. A bill amending section 3, chapter 26, of the General Statutes, entitled "Costs."

On motion of same—

7. A bill to amend section 1, article 3, chapter 63, of the General Statutes, entitled "Sales of Lands of Infants and Persons of Unsound Mind."

On motion of same—

8. A bill to amend article 5, chapter 63, of the General Statutes, entitled "Lands."

On motion of Mr. Read—

9. A bill to amend an act, entitled "An act to establish the Jefferson court of common pleas," approved February 24, 1865.

On motion of Mr. Garnett—

10. A bill for the benefit of the sheriff of Calloway county.

On motion of Mr. Leslie—

11. A bill for the benefit of the clerks, sheriffs, and jailers of this Commonwealth.

On motion of Mr. Culbertson—

12. A bill to amend section 5, article 12, chapter 92, of the General Statutes.

On motion of Mr. Leslie—

13. A bill to amend the charter of the town of Tompkinsville, in Monroe county.

On motion of Mr. Lovel—

14. A bill to incorporate the Jersey Ridge Turnpike Road, in Mason county.

On motion of Mr. Stanley—

15. A bill to amend the charter of the city of Henderson.

On motion of Mr. Garnett—

16. A bill regulating testimony in criminal and penal cases.

On motion of Mr. R. G. Hays—

17. A bill to amend the charter of the Louisville and Nashville Railroad.

On motion of Mr. Barbour—

18. A bill for the benefit of the Louisville, Harrod's Creek, and Westport Railroad Company.

On motion of Mr. Brown—

19. A bill to establish a deposit bank in Lawrenceburg.

On motion of Mr. Swoope—

20. A bill for the benefit of the sheriffs and certain citizens of Daviess, Henderson, McLean, Ohio, and Hancock counties.

On motion of Mr. Berry—

21. A bill for the benefit of John P. Barrett, late sheriff of Ohio county.

On motion of Mr. Hodge—

22. A bill for the benefit of keepers of ferries in this Commonwealth.

On motion of Mr. Barker—

23. A bill to regulate the sales of commissioners and administrators in the counties of Nelson, Spencer, and Shelby.

On motion of Mr. Gardner—

24. A bill for the benefit of James A. Word, of Johnson county.

On motion of same—

25. A bill for the benefit of Abijah Gilbert, of Owsley county.

On motion of same—

26. A bill for the benefit of Joseph Salyer, of Johnson county.



On motion of Mr. Tyler—

27. A bill to amend sub-section 4, section 395, of the Criminal Code of Practice.

On motion of same—

28. A bill to amend chapter 6 of the General Statutes, in relation to the duties of the Auditor.

On motion of same—

29. A bill to amend chapter 76 of the General Statutes, title "Militia."

On motion of same—

30. A bill for the benefit of Isaac Hibbs, jr., and E. Charlton, of Graves county.

On motion of same—

31. A bill to provide for the sale of public grounds in the city of Columbus.

On motion of same—

32. A bill to regulate the terms of office and manner of electing the city officials of the city of Columbus.

On motion of same—

33. A bill to amend the charter and amendments to the charter of the city of Columbus.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 2d, 6th, 7th, 8th, 12th, 13th, 23d, 27th, and 28th; the Committee on Banks and Insurance the 3d and 19th; the Committee on Propositions and Grievances the 4th, 15th, 20th, 21st, and 22d; the Committee on Charitable Institutions the 5th; the Committee on Courts of Justice the 9th; the Committee on the Judiciary the 10th, 11th, 16th, 18th, 24th, 25th, 26th, 30th, 31st, 32d, and 33d; the Committee on Internal Improvement the 14th; the Committee on Railroads the 17th, and the Committee on Military Affairs the 29th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate Harrodsburg Library Association;

An act for the benefit of school districts Nos. 18 and 44, of Henderson county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16th, 1869;

And enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act for the benefit of John B. Ruark, of Hart county;

An act for the benefit of the sheriff and jailer of Gallatin county;

An act for the benefit of Samuel Orr, of Graves county;

Resolution directing the purchasing of maps of the State of Kentucky for the Senate and House of Representatives;

Resolution calling on the Auditor for information in regard to attorneys employed to represent the State in certain cases;

Resolution authorizing a joint committee to inquire into appropriation of money to charitable institutions;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Mr. Culbertson presented the remonstrance of citizens of Catlettsburg against the passage of the bill to amend the title of "An act for the benefit of O. C. Bowles and George N. Brown, their assigns and vendees."

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

On motion of Mr. Walton, Mr. Barbour was added to the committee appointed to take into consideration the propriety of establishing a State Board of Health.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution calling on him for information in regard to the Secret Service Fund.

Said response reads as follows :

STATE OF KENTUCKY,  
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,  
FRANKFORT, Feb. 1, 1876. }

HON. JNO. C. UNDERWOOD, *Lieutenant Governor and Speaker of the Senate :*

SIR : I have the honor to respectfully submit the inclosed paper as my response to the resolution adopted by the Senate on the 29th ult., calling on me to state whether the Secret Service Fund appropriated by act approved August 22d, 1862, had been expended, and when and by whose direction said fund was used or drawn. The statement submitted shows

that the whole of said fund has been expended, and when and by whose authority it was drawn and used.

With great respect,

D. HOWARD SMITH, *Auditor.*

SECRET SERVICE FUND.

1862.		By appropriation, act approved 22d August, 1862,	\$50,000 00	
September 3.		To order of J. F. Robinson, Governor, warrant No. 2682 -----	\$300 00	
September 6.		To order of J. F. Robinson, Governor, warrant No. 2813 -----	10,000 00	
August 28.		By amount refunded by J. F. Robinson, Governor -----	7,804 15	
1863.				
November 20.		To order of Thos. E. Bramlette, Governor, warrant No. 2787 -----	10,000 00	
1864.				
May 3.		To order of Thos. E. Bramlette, Governor, warrant No. 1461 -----	10,000 00	
1865.				
April 25.		To order of Thos. E. Bramlette, Governor, warrant No. 1523 -----	5,000 00	
April 26.		To order of Thos. E. Bramlette, Governor, warrant No. 1535 -----	15,000 00	
September 1.		By amount refunded by Thos. E. Bramlette, Governor -----	15,000 00	
September 2.		To order of Thos. E. Bramlette, Governor, warrant No. 2976 -----	3,000 00	
October 5.		To order of Thos. E. Bramlette, Governor, warrant No. 3306 -----	10,000 00	
1866.				
January 6.		To order of Thos. E. Bramlette, Governor, warrant No. 117 -----	3,000 00	
1867.				
August 24.		To order of Thos. E. Bramlette, Governor, warrant No. 4699 -----	625 00	
1869.				
September 9.		To order of Jno. W. Stevenson, Governor, warrant No. 5527 -----	500 00	
October 9.		To order of Jno. W. Stevenson, Governor, warrant No. 5901 -----	110 00	
1871.				
February 1.		To order of Jno. W. Stevenson, Governor, warrant No. 979 -----	12 00	
1873.				
June 11.		To order of P. H. Leslie, Governor, warrant No. 3888 -----	100 00	
August 16.		To order of P. H. Leslie, Governor, warrant No. 5137 -----	30 00	
Amounts carried forward. -----			\$67,677 00	\$72,804 15

Amounts brought forward.....		\$67,677 00	\$72,804 15
September 5.	To order of P. H. Leslie, Governor, warrant No. 5437 .....	18 00	
September 9.	To order of P. H. Leslie, Governor, warrant No. 5484 .....	300 00	
September 16.	To order of P. H. Leslie, Governor, warrant No. 5568 .....	880 00	
September 18.	To order of P. H. Leslie, Governor, warrant No. 5595 .....	55 00	
September 29.	To order of P. H. Leslie, Governor, warrant No. 5722 .....	150 00	
October 13.	To order of P. H. Leslie, Governor, warrant No. 5979 .....	50 00	
October 15.	To order of P. H. Leslie, Governor, warrant No. 6007 .....	100 00	
November 1.	To order of P. H. Leslie, Governor, warrant No. 6295 .....	50 00	
November 7.	To order of P. H. Leslie, Governor, warrant No. 6361 .....	500 00	
November 21.	To order of P. H. Leslie, Governor, warrant No. 6616 .....	2,000 00	
December 18.	To order of P. H. Leslie, Governor, warrant No. 7316 .....	81 50	
1874.			
January 8.	To order of P. H. Leslie, Governor, warrant No. 190 .....	50 00	
March 23.	To order of P. H. Leslie, Governor, warrant No. 1864 .....	100 00	
April 30.	To order of P. H. Leslie, Governor, warrant No. 2562 .....	125 00	
August 7.	To order of P. H. Leslie, Governor, warrant No. 4518 .....	17 50	
September 1.	To order of P. H. Leslie, Governor, warrant No. 4779 .....	220 00	
October 20.	To order of P. H. Leslie, Governor, warrant No. 5518 .....	4 00	
1875.			
February 11.	To order of P. H. Leslie, Governor, warrant No. 817 .....	100 00	
February 16.	To order of P. H. Leslie, Governor, warrant No. 901 .....	100 00	
February 24.	To order of P. H. Leslie, Governor, warrant No. 1069 .....	20 00	
February 26.	To order of P. H. Leslie, Governor, warrant No. 1087 .....	10 00	
Amounts carried forward.....		\$72,608 00	\$72,804 15



Amounts brought forward -----		\$72,608 00	\$72,804 15
May	12. To order of P. H. Leslie, Governor, warrant No. 2480 -----	15 00	
June	1. To order of P. H. Leslie, Governor, warrant No. 2853 -----	100 00	
August	31. To order of P. H. Leslie, Governor, warrant No. 4714 -----	81 15	
		<hr/> \$72,804 15	<hr/> \$72,804 15

Attest:

D. HOWARD SMITH, *Auditor*.

Which was ordered to be printed.

Mr. Ewing moved the following resolution, viz :

*Resolved*, That the Public Printer be, and is hereby, requested to furnish the General Assembly with the printed report of the Keeper of the Penitentiary at his earliest convenience.

Which was adopted.

A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, February 2d, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice the following named persons as worthy to be commissioned as notaries public, to act in the limits herein set forth :

W. P. Thorne, Henry county.  
M. Lieber, Jefferson county.  
L. M. Rice, Webster county.  
Christine C. Magann, Carter county.  
C. H. Johnson, Henderson county.  
Daniel B. Cassiday, Lyon county.  
Joseph J. Landis, Christian county.  
Lawrence S. Ratcliff, McCracken county.  
Charles P. Starling, Henderson county.  
William Bright, Fayette county.  
Charles W. Stone, Woodford county.  
Robert A. Cochran, Mason county.  
William Reinecke, Jefferson county.  
G. M. Witten, Boyd county.  
James T. Ford, Floyd county.  
Frank Parsons, Jefferson county.  
Garrett Arbegust, Jefferson county.  
H. L. Robbins, Pendleton county.  
J. F. Stokes, Jefferson county.  
B. Holt, Russell county.  
W. W. Helm, Jefferson county.

John F. Fisk, Kenton county.  
 F. E. Congleton, Nicholas county.  
 Wm. W. Howard, Nicholas county.  
 F. M. Huffaker, Jefferson county.  
 J. C. Bartlett, Jefferson county.  
 John T. Handley, Henderson county.  
 D. Thornton West, Jefferson county.  
 H. C. Kauffman, Garrard county.  
 I. S. Bruton, Cumberland county.  
 James L. Ganon, Hart county.  
 William Mix, Jefferson county.  
 A. G. Booth, Jefferson county.  
 James R. W. Smith, Jefferson county.  
 W. S. Havens, Morgan, Magoffin, Wolfe, Menifee, Breathitt, Rowan, and Elliott counties.  
 W. J. Asbell, Marion county.  
 John W. Cowgill, Fulton county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

The Senate, according to order, took up for consideration

A bill for the benefit of circuit court clerks of this Commonwealth.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vories moved the following resolution, viz:

*Resolved*, That a committee of three Senators, to be appointed by the Speaker, to act in concert with any committee from the House of Representatives, to edit and superintend the publication and printing of the proceedings had in this General Assembly upon the death of Hon. John C. Breckinridge.

Which was adopted, and the Speaker appointed Messrs. Vories, Hodge, and Goodloe said committee.

Mr. J. W. Hays, from the Committee on the Judiciary, to whom was referred leave to bring in

A bill to create a court of common pleas in the counties of Lee, Owsley, Breathitt, Wolfe, Morgan, Magoffin, Elliott, Menifee, Montgomery, Powell, and Estill,

Asked to be discharged from the further consideration of said leave.

Which was granted.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had rejected a bill, entitled

An act to repeal section 2, article 16, chapter 92, of the General Statutes.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	Thos. W. Varnon,
W. W. Culbertson,	John Hyden,	W. L. Vories,
W. A. Cunningham,	J. R. Leslie,	C. J. Walton,
P. F. Edwards,	D. H. Lindsay,	George Wright—26.
Andrew J. Ewing,	R. B. Lovel,	

Those who voted in the negative, were—

G. W. Swoope, H. A. Tyler—2.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also reconsidered.

Mr. Edwards then proposed an amendment as a substitute for said bill.

Said amendment reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That all suits now pending in any court of this Commonwealth, against any person or persons, for failing to list and describe their lands as required by section two, article 16, chapter 92, of the General Statutes, shall be dismissed, and no recovery had thereon in favor of the Commonwealth or any person; and the further time of 90 days from the passage of this act is given for owners or controllers of land embraced by said section to comply with the requirements of said section by filing the written description of lands therein required.

§ 2. That the provisions of said section 2, article 16, of chapter 92, of the General Statutes, shall not apply to any person or persons who have surveyed lands in this Commonwealth, for the purpose of carrying the same into grant, whose patent or patents have not issued and been recorded, as required by law, in the Register's Office of Kentucky, prior to the 10th day of January, 1875; and any suit or suits now pending in any court in this Commonwealth against such persons for the enforcement of any penalty under said section 2, article 16, chapter 92, of the General Statutes, shall be dismissed, and no recovery had thereon in favor of the Commonwealth or other person; and the time of 90 days after the issue and record of said patents is given and extended to the owners thereof in which to comply with the provisions of said section 2, article 16, chapter 92, of the General Statutes.

§ 3. Any person or persons, owners or claimants of land in this Commonwealth, who have failed to list and describe their lands, shall have the right, before judgment shall be rendered against them, to make and file said list and description as required by said section 2, article and chapter aforesaid; and it shall be lawful for such person or persons, owners or claimants, to plead such listing in bar of any suit or suits against them for a violation of said section 2, article 16, chapter 92, of the General Statutes; and such suits now pending, or which may be brought, shall be dismissed at the cost of the defendant, which cost shall not include any fee or sum to any attorney.

§ 4. This act shall take effect from and after its passage.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	John Hyden,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—27.

Those who voted in the negative, were—

Wm. J. Berry,	D. H. Lindsay,	G. W. Swoope—3.
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*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

1. An act to change the time of holding the quarterly courts of Pendleton county.

By Mr. Barker, from the Committee on Internal Improvement—

2. An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

By same—

3. An act to amend the charter of the Lebanon, Barbourville, and Mackville Turnpike Road Company.



By same—

4. An act to amend an act to amend the charter of Fisherville and Buck Creek Turnpike Company, in Shelby county.

By same—

5. An act to legalize the collection of toll on the Owenton and Ross Mill Turnpike Road.

By Mr. Brown, from the Committee on Internal Improvement—

6. An act to create a special road law for the county of Pendleton.

By Mr. J. W. Hays, from the Committee on the Judiciary—

7. An act to amend an act to charter the town of Kuttawa, in Lyon county.

By same—

8. An act repealing an act incorporating the town of Roaring Springs, in Trigg county.

By Mr. Tyler, from the Committee on the Judiciary—

9. An act to incorporate the Paducah Water Company.

By Mr. Barker, from the Committee on the Judiciary—

10. An act to exempt the county of McCracken and other counties from the provisions of section 4, article 3, chapter 27, General Statutes.

By Mr. Goodloe, from the Committee on the Judiciary—

11. An act to amend an act, entitled "An act to incorporate the Louisville Law Library Company," approved February 8th, 1839.

By Mr. Barker, from the Committee on Internal Improvement—

12. An act to amend the charter of the Covington and Lexington Turnpike Road Company.

By Mr. Tyler, from the Committee on the Judiciary—

13. An act to incorporate the town of Arlington, in the county of Ballard.

With amendments to the last two named bills.

Which were adopted.

*Ordered*, That the 8th of said bills be placed in the orders of the day, and all the others, the last two as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Hays, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the town of Whitesville, in Letcher county, Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Barker, from the Committee on Internal Improvement, to whom was referred a joint resolution from the House of Representatives, entitled

Resolution to appoint a committee on State's interest in Covington and Lexington Turnpike Road Company,

Reported the same without amendment.

Said resolution reads as follows, viz :

WHEREAS, The State of Kentucky, by reason of an act, entitled "An act to incorporate the Covington and Lexington Turnpike Road Company," became the one half owner of said road ; and whereas, by reason of said act, and the construction of said road, the profits of which became and were an auxiliary to the Sinking Fund of this Commonwealth ; and whereas, information has reached this General Assembly that the interest of the State in said road has been or attempted to be parted with ; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a committee of five from this House and three from the Senate be appointed to inquire into the facts, and ascertain whether the State's interest in said road has been parted with, and if so, by what authority, and report by bill or otherwise.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

And the Speaker appointed Messrs. Barker, J. W. Hays, and Cleveland said committee.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Barker, from the Committee on Internal Improvement—

1. A bill to amend an act, entitled "An act to incorporate the Mt. Freedom and Jessamine County Turnpike Road Company.

By same—

2. A bill to amend the charter of the Louisville Turnpike Company.

By Mr. Brown, from the Committee on Internal Improvement—

3. A bill to amend an act amending the turnpike law of Henry county, approved March 28th, 1872.

By same—

4. A bill to amend an act, entitled "An act incorporating the Warsaw Turnpike Road Company."

By same—

5. A bill for the construction and completion of turnpike roads in Robertson county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

6. A bill to incorporate the town of Glencoe, in Gallatin county.

By same—

7. A bill to legalize the action of the Livingston county court at its October term, 1872.

By same—

8. A bill for the benefit of the clerk of the Wolfe circuit court.

By same—

9. A bill for the benefit of county judges, clerks, sheriffs, and other civil officers of this Commonwealth having uncollected fee bills.

By same—

10. A bill to amend chapter 92, article 8, of General Statutes.

By same—

11. A bill to amend the charter and amendments to the charter of the city of Columbus.

By same—

12. A bill to regulate the term of office of and manner of electing the city officers of the city of Columbus.

By same—

13. A bill to provide for the sale of the public grounds in the city of Columbus.

By Mr. Barker, from the Committee on the Judiciary—

14. A bill establishing the 17th circuit court judicial district.

By Mr. Goodloe, from the Committee on the Judiciary—

15. A bill to protect game and small birds, and to punish trespass.

By same—

16. A bill to regulate the practice of dentistry.

By same—

17. A bill for the benefit of the holders of certain land patents.

By Mr. Simmons, from the Committee on the Judiciary—

18. A bill conferring jurisdiction on the Louisville chancery court over the estate of Samuel B. Thomas, deceased, and authority to adjudicate and settle with the trustee under the will of said Thomas.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 10th was ordered to be printed and made the special order of the day for Monday next, the 7th inst., at 10½ o'clock, A. M.; the 14th was ordered to be printed and made the special order of the day for Tuesday next, the 8th inst., at 10½ o'clock, A. M.; the 15th was ordered to be printed and made the special order of the day for Wednesday next, the 9th inst., at 11 o'clock, A. M.; the 17th was placed in the orders of the day, and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Hays, from the Committee on the Judiciary, reported

A bill for the benefit of the devisees of Joseph Brown.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Joseph Brown, of the county of Nelson, in this State, by the 25th clause of his will, devised as follows, viz: "The rest and residue of my estate I will and bequeath to the descendants of my three uncles, Benjamin Brown, William Brown, and Thomas Brown. My three uncles above named are all dead, and their children or descendants are unknown to me, at least some of them. My desire is, that this bequest shall go to such of their children as are living; and where a child of either has died leaving children, the children of said deceased child shall take such part as their parent would take if living." Said uncles had fourteen children, and by the decision of the Court of Appeals in 6th Bush, page 648, it was held that the fourteen children took per capita. One of said children, named Ruth Adams, has not been found, and it is not known whether she was living or not at the death of the testator; and while the suit was pending in the Nelson circuit court for a settlement and distribution of said estate, the Commonwealth of Kentucky brought suit against the executor of said testator to escheat the one fourteenth that Ruth Adams would have been entitled to, and said court gave judgment for the same against said executor, and on the 28th day of March, 1874, said executor paid over the same to the Auditor of Public Accounts, amounting to the sum of nineteen hundred and eleven dollars and seventy-one cents. Said executor prosecuted an appeal to the Court of Appeals from judgment,



and said court reversed said judgment; but said reversal was after said judgment had been paid to the Auditor by said executor. On the return of the case to the circuit court from the Court of Appeals, the Commonwealth dismissed her said action. The action of Joseph Brown's executors against Joseph Brown's devisees, for a settlement and distribution of his estate, is still on the docket of the Nelson circuit court. The money was paid over to the Auditor by the executor before the action was reversed by the Court of Appeals, and the devisees are without remedy at law against the Commonwealth to have said money refunded; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant on the Treasurer, payable to Samuel C. Bealmear, executor of Joseph Brown, for the sum of nineteen hundred and eleven dollars and seventy-one cents, payable out of any money in the Treasury not otherwise appropriated, to be by said executor distributed to the devisees of said Joseph Brown, under the orders and judgment of the Nelson circuit court.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
Thos. J. Barker,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	W. L. Vories,
James B. Garnett,	P. A. Lyon,	C. J. Walton—30.

Those who voted in the negative, were—

Wm. J. Berry, George Wright—2.

*Resolved*, That the title of said bill be as aforesaid.

Mr. J. W. Hays, from the Committee on the Judiciary, reported

A bill releasing the stock of the State of Kentucky in the turnpike road leading from the mouth of Salt river to Elizabethtown, in Hardin county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, The State of Kentucky owns 845 shares of stock in the turnpike leading from the mouth of Salt river to Elizabethtown, all lying in Hardin county, and the said road having failed to declare any dividend for a number of years, the stock in said road is worthless to the State; and whereas, also in pursuance of a provision in the charter of said turnpike the toll-gates on said road have been thrown open because said road was not kept in repair, the tolls being wholly insufficient for that purpose; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the State of Kentucky does hereby give, grant, and forever release, to the county court of Hardin, all the stock she has and holds in said turnpike road company, amounting to 845 shares, to be owned and controlled by said county court in keeping said road in repair.

§ 2. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	E. W. Turner,
Thos. J. Barker,	George B. Hodge,	H. A. Tyler,
Scott Brown,	D. H. Lindsay,	Thos. W. Varnon,
W. W. Culbertson,	Joseph B. Read,	W. L. Vories,
Wm. Cassius Goodloe,	Robert Simmons,	C. J. Walton,
James W. Hays,	J. H. Stanley,	George Wright—18.

Those who voted in the negative, were—

Wm. J. Berry,	H. F. Finley,	S. H. Jenkins,
Robert A. Briggs,	Joseph Gardner,	J. R. Leslie,
W. A. Cunningham,	James B. Garnett,	R. B. Lovel,
P. F. Edwards,	B. W. S. Huffaker,	Sumner Marble,
Andrew J. Ewing,	John Hyden,	G. W. Swoope—15.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Tyler, from the Committee on the Judiciary, reported

A bill to authorize the issual of a patent to Isaac Hibbs, jr., and E. Charlton, for the northeast quarter of section 34, township 2, range 1, west.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Isaac Hibbs, sr., did, on the 27th day of January, 1831, enter in the receiver's office for lands west of the Tennessee river the N. E. quarter of section 34, township 2, range 1, west; paid to said receiver the entry fee and price, and thereafter transferred his certificate of entry to

John Frost, but no patent has ever been issued to either of them, or their heirs or assigns, or to any one else, for said quarter of land; and both said Hibbs and Frost are dead, but the title of said land has regularly been transferred by deed of conveyance, first from said John Frost, until the title of the north sixty acres thereof vested in Isaac Hibbs, jr., and the south one hundred acres in E. Charlton, both of Graves county, and now living; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Register of the Land Office be, and he is hereby, authorized and directed to issue a patent to Isaac Hibbs, jr., for the north sixty acres of the northeast quarter of section 34, township 2, range 1, west, and to issue a patent to E. Charlton for the south one hundred acres of same quarter, said patent to be signed by the Governor of this Commonwealth, so as to vest in said Isaac Hibbs, jr., and E. Charlton, all the right, title, and interest the Commonwealth now or ever did have in and to said tract of land.

§ 2. This act to take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Cunningham, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Berry,	James W. Hays,	Sumner Marble,
Robert A. Briggs,	George B. Hodge,	Joseph B. Read,
Scott Brown,	B. W. S. Huffaker,	Robert Simmons,
F. L. Cleveland,	John Hyden,	J. H. Stanley,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	Thos. W. Varnon,
Wm. Cassius Goodloe,	P. A. Lyon,	George Wright—24.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	G. W. Swoope,
Thos. J. Barker,	R. G. Hays,	W. L. Vories,
W. A. Cunningham,	J. R. Leslie,	C. J. Walton—10.
P. F. Edwards,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the town of Newville, located in parts of Daviess, McLean, and Ohio counties,

Reported the same with an amendment.

Which was adopted.

Pending the consideration of which bill, Mr. Swoope moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

And then the Senate adjourned.



## THURSDAY, FEBRUARY 3, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to allow the county court of Jessamine county to levy a special tax.

An act for the benefit of county judges, clerks, sheriffs, and other civil officers of this Commonwealth having uncollected fee bills.

That they had passed bills of the following titles, viz:

1. An act to incorporate the Students' Association of Georgetown College.

2. An act to amend and reduce into one act the several acts relating to roads in Union county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Education, and the 2d to the Committee on Internal Improvement.

On motion of Mr. Walton, Mr. Berry was added to the committee heretofore appointed to take into consideration the propriety of establishing a State Board of Health.

The following petition and remonstrance were presented, viz

By Mr. Garnett—

Petition of sundry citizens of Lyon county, praying the passage of an act increasing the jurisdiction of the county court of said county.

By Mr. Culbertson—

Remonstrance of the trustees of the town of Catlettsburg against the passage of a bill to amend the title of "An act for the benefit of O. C. Bowles, George N. Brown, and their lessees, &c."

Which were received, the reading dispensed with, and referred—the petition to the Committee on General Statutes and Codes of Practice, and the remonstrance to the Committee on the Judiciary.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had



approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act for the benefit of the sheriff and jailer of Gallatin county.

An act for the benefit of John B. Ruark, of Hart county.

An act for the benefit of Samuel Orr, of Graves county.

Resolution directing the purchasing of maps of the State of Kentucky for the Senate and House of Representatives.

Resolution calling on the Auditor for information in regard to attorneys employed to represent the State in certain cases.

Resolution authorizing a joint committee to inquire into appropriation of money to charitable institutions.

A message in writing was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, February 3d, 1876. }

*Gentlemen of the Senate :*

The bill which originated in your honorable body, entitled "An act for the benefit of Tarlton C. Laughlin," has been carefully considered by me, and a sense of duty compels me to withhold my approval of it.

The Constitution of Kentucky declares in article 2, section 32, that "the General Assembly shall have *no power to direct the sales of estates belonging to infants* or other persons laboring under legal disabilities by special legislation, but, by general laws, shall confer such powers on the courts of justice."

This bill, in opposition to the plain inhibition of the Constitution, declares that Tarlton C. Laughlin, a minor under twenty-one years of age, be, and he is hereby, invested with full power and authority to sell and convey all his part and interest in certain real estate which he acquired by descent from his father with warranty, &c. The wisdom of the framers of our Constitution, in throwing every safeguard around the real estate of minors, and requiring courts of justice to carefully examine into and protect their interests when their land is sold, is too manifest to admit of discussion. I can only add, that I think this requirement of the Constitution should be rigidly adhered to.

In obedience to the Constitution, the General Statutes, article 3, chapter 63, authorizes the sale of infants' real estate by proper proceedings in court; and in the preamble of this bill it is admitted that application has already been made in the proper forum for authority to sell and convey the interest of the minor in the real estate, but on account of some irregularities in the court proceedings appeal is now made to the General Assembly. I believe that legislation which seeks to deprive courts of justice of matters which, under the Constitution, should be considered by them, is both dangerous and improper.

I therefore return the bill, without my signature, for your further consideration.

JAMES B. McCREARY,  
*Governor of Kentucky.*

The bill referred to in said message reads as follows, viz :

WHEREAS. It is represented to the General Assembly of the Commonwealth of Kentucky that Tarlton C. Laughlin, deceased, died intestate in Bath county, the owner in fee of one hundred acres of land on the waters of Flat Creek in said county, and leaving Mrs. Anna Laughlin, his widow, and Henry D. Laughlin, Nannie Laughlin, Julian J. Laughlin, and Tarlton C. Laughlin, his only children and heirs-at law, him surviving, which one hundred acres of land are not susceptible of division without detriment to his said heirs; and whereas, said Tarlton C. Laughlin is a minor, now in his nineteenth year, and his mother, the said Anna Laughlin, is his statutory guardian, appointed by the Bath county court, and as such guardian applied, by petition, to the Bath county common pleas court for a sale of her said ward's interest in said land, making his co-heirs parties thereto, all of whom are now of full age; and a judgment for a sale of the whole tract was rendered, and the guardian executed bond, with good surety, as required by chapter 86 of the Revised Statutes, and a sale thereof made; but on account of some irregularities in the proceedings, grave doubts exist as to whether the purchaser will get a clear and indefeasible title to said ward's part of said land; and as the sale is an advantageous one to said infant and the adult heirs, and all are desirous that the title should be secured to the purchaser, and have united in a conveyance to him, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That Tarlton C. Laughlin, a minor under twenty-one years of age, be, and he is hereby, invested with full power and authority to sell and convey all his part and interest in said real estate which he acquired by descent from his father, with warranty; and any sale or conveyance made by him of his part of said real estate shall be as binding in law on him as if he were of full and mature age at the time of making said conveyance.

§ 2. This act to take effect from its passage.

The question was then taken, "Shall the bill pass, the objections of the Governor to the contrary notwithstanding?" and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

In the affirmative—none.

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—34.
Joseph Gardner,		

So the Governor was sustained in his veto.

Mr. Turner moved to reconsider the vote by which the Senate had passed a bill, entitled

An act for the benefit of circuit court clerks of this Commonwealth.

Which motion was simply entered.

The Senate resumed the consideration of the unfinished report from the Committee on the Judiciary, it being a bill from the House of Representatives, entitled

An act to incorporate the town of Newville, located in parts of Daviess, McLean, and Ohio counties.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, to whom was referred a resolution from the House of Representatives, entitled

Resolution directing Librarian to have air-grates put under Quartermaster and Adjutant General's offices,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

*Resolved*, That the title of said resolution be as aforesaid.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a resolution from the House of Representatives, entitled

Resolution authorizing the appointment of a joint committee to report on the utility of Patterson's Forms,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

*Resolved*, That the title of said resolution be as aforesaid.

The Speaker appointed Messrs. Hodge and Barker said committee.

Mr. J. W. Hays, from the Committee on Military Affairs, to whom was referred a resolution from the House of Representatives, entitled Resolution in reference to the surviving soldiers and widows of the Mexican war,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

*Resolved*, That the title of said resolution be as aforesaid.

Mr. Tyler, from the Committee on Military Affairs, to whom was referred leave to bring in

A bill for the benefit of Company G, 1st Regiment of State Guards,  
Asked to be discharged from the further consideration of said leave.

And the question being taken thereon, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Edwards and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James B. Garnett,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—18.

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	P. A. Lyon,	W. L. Vories—15.

Mr. Cleveland then moved to reconsider the vote by which the Senate had discharged the committee from the further consideration of the leave.

Which motion was simply entered.

Mr. Simmons moved to suspend rule 81 in order to allow the Committee on Privileges and Elections to report a bill.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Joseph B. Read,
Wm. J. Berry,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—20.
Duncan Harding,	C. N. Pendleton,	



Those who voted in the negative, were—

Thos. J. Barker,	H. F. Finley,	R. B. Lovel,
James Blackburn,	James B. Garnett,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	G. W. Swoope,
Scott Brown,	James W. Hays,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories—17.
Andrew J. Ewing,	J. R. Leslie,	

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend an act to create a court of common pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford, and Scott.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Said bill was then amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Leslie, from the Committee on Printing, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Louisville Daily Globe and Louisville Daily Commercial,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Blackburn, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of J. M. Lester, of Caldwell county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Blackburn read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a special committee of two from the Senate and three from the House be raised to consider the practicability of employing the convict labor of the State upon the internal improvements thereof, as well as the advisability of appropriating money from the Treasury to complete and repair said improvements; whether such improvements can be made more cheaply under leases to companies or by contracts to be let by a board created to act for and in behalf of the State—the internal improvements to be made and owned by the State for the convenience and benefit of the citizens thereof. The attention of this committee is particularly directed to the improvements of the water-courses in the State, and the committee shall report by bill or otherwise, and at any time.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Goodloe, from the Committee on Railroads, to whom was referred a bill, which originated in the Senate, entitled

A bill to amend the charter of the Kentucky Central Railroad Company,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

*Ordered,* That said substitute be printed, and that the further consideration thereof be postponed till Thursday next, the 10th inst., at 11 o'clock.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Tyler, from the Committee on Military Affairs—

1. A bill to amend chapter 79 of the General Statutes, title "Militia."

By Mr. Edwards, from the Committee on Propositions and Grievances—

2. A bill to amend an act incorporating the town of Grayson, Carter county, approved 22d February, 1860.

By same—

3. A bill to change the county line between Owen and Grant counties.

By same—

4. A bill for the benefit of F. M. Woosley, sheriff of Edmonson county.

By same—

5. A bill for the benefit of James L. Webb, assessor of Boyle county.

By same—

6. A bill to prevent trespass in Christian county.

By same—

7. A bill to establish the county of Helm.

By same—

8. A bill to regulate the duties and office of inspector of oils and fluids the product of coal, petroleum, and other bituminous substances.

By Mr. Blackburn, from the Committee on Propositions and Grievances—

9. A bill for the benefit of John P. Barrett, late sheriff of Ohio county.

By Mr. Lovel, from the Committee on Propositions and Grievances—

10. A bill for the benefit of the trustees of the town of Catlettsburg.

By same—

11. A bill to amend the charter of the city of Henderson, and the several acts in relation thereto.

By Mr. Berry, from the Committee on Propositions and Grievances—

12. A bill to provide for districting Ohio county into justices' districts.

By same—

13. A bill for the benefit of Thomas J. Smith, sheriff of Ohio county.

By Mr. Varnon, from the Committee on Railroads—

14. A bill to incorporate the Southern Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The constitutional provision as to the second reading of said bills being dispensed with, the 7th was recommitted to the Committee on Propositions and Grievances; the 8th was ordered to be printed and placed in the orders of the day; the 14th was recommitted to the Committee on Railroads, and all the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. Harding—

1. A bill for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

On motion of Mr. Lindsay—

2. A bill to amend the charter of the town of Warsaw, in Gallatin county.

On motion of Mr. Barker—

3. A bill to amend chapter 77 of the General Statutes, title "Wills."

On motion of same—

4. A bill to amend an act, entitled "An act reducing into one the several acts in relation to the town of Taylorsville."

On motion of Mr. Swoope—

5. A bill, entitled "An act to regulate the jurisdiction of quarterly courts in certain cases."

*Ordered*, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Courts of Justice the 2d; the Committee on General Statutes and Codes of Practice the 3d and 5th, and the Committee on the Judiciary the 4th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz : Senate, entitled

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of J. P. Nuckols, of Barren county;

An act to amend section 8 of article 7 of chapter 18 of General Statutes;

An act for the benefit of Lawrence R. Steffey, of Barren county;

An act to amend an act, entitled "An act to secure the payment into the Treasury of all fines, taxes, and license fees collected by trustees of the jury fund, clerks, and other officers," approved February 23, 1874;

An act to regulate the holding of circuit courts in the sixteenth judicial district;



An act for the benefit of school district No. 81, in Greenup county;

An act for the benefit of Wm. Williams, late county and circuit court clerk of Owsley county;

An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties;

An act to continue in force an act approved February 3d, 1874, for the benefit of W. L. Crumbaugh, late sheriff of Lyon county;

An act for the benefit of James Wallace, late sheriff of Christian county;

An act for the benefit of M. C. Rowland, sheriff of Marshall county;

An act empowering the Governor of this Commonwealth to appoint a sheriff for Breathitt county, and agree with him as to compensation;

An act to change the time of holding the quarterly courts of Pendleton county;

Resolution to appoint a joint committee to ascertain result of vote on Constitutional Convention;

And bills, which originated in the Senate, of the following titles, viz:

An act to allow the county court of Jessamine to levy a special tax;

An act for the benefit of Leonard Weitmeir, of Bracken county;

An act for the benefit of the jailer of Trigg county;

An act for the benefit of J. J. Nesbitt, executor of Wm. Richards;

An act to empower W. J. Salyer, collector of railroad tax in Montgomery county, to proceed to the collection of said tax by himself or deputy;

An act to relieve the sheriff of Allen county from collecting railroad tax and other purposes.

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

## FRIDAY, FEBRUARY 4, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Harrodsburg Library Association.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the city of Frankfort," approved March 16th, 1869.

An act for the benefit of school districts Nos. 18 and 44, of Henderson county.

That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the town of Arlington, in the county of Ballard.

An act to amend an act to create a court of common pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford, and Scott.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to repeal chapter 579 of the acts of 1873-'4.

An act to amend an act incorporating the Walnut Street Christian Church of Louisville, approved February 19, 1848.

An act to amend an act, entitled "An act to incorporate Jerusalem Lodge, No. 9, Ancient York Masons, of Henderson," approved January 9, 1868.

That they had passed bills of the following titles, viz :

1. An act to legalize the proceedings of the Christian county quarterly court begun and held on the 4th Monday in January, 1876.

2. An act to regulate the sale of vinous, spirituous, and malt liquors in Union county.

3. An act to prohibit the sale of spirituous, malt, or vinous liquors in Glasgow, or within one mile from the outside boundary thereof.

4. An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of Caverna," approved February 27th, 1873.

5. An act to establish an institution of learning in or near the town of Proctor, in Lee county.

6. An act for the benefit of W. A. Mahoney, sheriff of Muhlenburg county.

7. An act to improve the navigation of the South Fork of the Kentucky river in Clay county, on the narrows of said river.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Courts of Justice; the 2d, 3d, and 4th to the Committee on Religion and Morals; the 5th to the Committee on Education; the 6th to the Committee on Finance, and the 7th to the Committee on Appropriations.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hodge—

1. A bill to amend an act incorporating the Newport Cemetery Company.

On motion of Mr. Lindsay—

2. A bill for the benefit of W. H. Rose, of Gallatin county.

On motion of same—

3. A bill to provide for a deduction of term of sentence of prisoners confined in the penitentiary.

On motion of Mr. Lovel—

4. A bill, entitled "An act for the protection of the banks of the Ohio river and other navigable streams within this Commonwealth."

On motion of Mr. Vories—

5. A bill to amend chapter 56 of the General Statutes, title "Incorporated Companies."

On motion of Mr. Berry—

6. A bill to further protect the Hartford Railroad and Mining Company.

*Ordered*, That the Committee on Charitable Institutions prepare and bring in the 1st; the Committee on Courts of Justice the 2d; the Committee on the Penitentiary and House of Reform the 3d; the Committee on Propositions and Grievances the 4th; the Committee on the Judiciary the 5th, and the Committee on Railroads the 6th.

Mr. Read read and laid on the table a resolution to suspend rule 81 of the Senate in certain cases.

Which, under the rule, lies one day on the table.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the jailer of Trigg county.

An act for the benefit of J. J. Nesbitt, executor of William Richards.

An act for the benefit of Leonard Weitmeir, of Bracken county.

On motion of Mr. Hyden, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Whitesville, in Letcher county.

After a short time, said bill was handed in at the Clerk's desk.

Mr. Hyden then moved to reconsider the vote by which the Senate had disagreed to the passage of said bill.

Which motion was simply entered.

The Senate, according to order, took up for consideration

A bill to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the second section of the act approved March 10th, 1870, entitled "An act to establish an Insurance Bureau," as authorizes and empowers the Auditor to appoint the Insurance Commissioner for the State of Kentucky, be, and the same is hereby, repealed.

§ 2. That on the third Tuesday of February, 1876, and on the same day of each fourth year thereafter, the Insurance Commissioner shall be elected by a joint vote of the two Houses of the General Assembly.

§ 3. That the Commissioner so elected shall enter upon the discharge of the duties of his office on the second Monday in March succeeding the day of his election, and his term of office shall be four years, and until his successor shall be elected and qualified.

§ 4. He may be removed by the Governor, for good cause, when the General Assembly is not in session, and may be removed from office by the joint vote of the two houses of the General Assembly.

§ 5. When from any cause the office of Commissioner is vacant, or any incumbent is suspended, the Governor shall appoint another person to discharge the duties thereof until the General Assembly shall take action in the matter, or until the suspension shall cease.

§ 6. The Commissioner elected or appointed under the provisions of this act shall take the oath, and execute the bond provided for by section 7 of the act of March 10th, 1870, entitled "An act to establish an Insurance Bureau," and shall possess all the power, and be charged with all the duties conferred and required by the provisions of said act.



§ 7. The term of office of the present Commissioner shall expire on the second Monday in March, 1876, or as soon thereafter as his successor shall be elected and qualified.

§ 8. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Read were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
Robert A. Briggs,	Wm. Cassius Goodloe,	C. N. Pendleton,
F. L. Cleveland,	James W. Hays,	H. A. Tyler—11.
Joseph Gardner,	George B. Hodge,	

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—27.

So said bill was rejected.

Mr. Varnon then moved to reconsider the vote by which the Senate had rejected said bill.

Mr. Cunningham moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	John Hyden,	G. W. Swoope,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	Sumner Marble,	George Wright—26.
H. F. Finley,	Joseph B. Read,	

Those who voted in the negative, were—

Wm. J. Berry,	James B. Garnett,	B. W. S. Huffaker,
Robert A. Briggs,	Wm. Cassius Goodloe,	P. A. Lyon,

F. L. Cleveland,  
Joseph Gardner,

James W. Hays,  
George B. Hodge,

C. N. Pendleton,  
H. A. Tyler—12.

The Senate took up for consideration the motion heretofore made by Mr. Walton to reconsider the vote by which they had rejected a bill, which originated in the Senate, entitled

An act to provide for the representation of Kentucky resources and industries at the American Centennial Exhibition at Philadelphia, beginning May 10, 1876.

Mr. Swoope moved to lay said motion on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	R. G. Hays,	G. W. Swoope,
Andrew J. Ewing,	R. B. Lovel,	E. W. Turner,
James B. Garnett,	Sumner Marble,	H. A. Tyler—10.
James W. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	P. A. Lyon.
Thos. J. Barker,	Joseph Gardner,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	George B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	B. W. S. Huffaker,	W. L. Vories,
W. W. Culbertson,	S. H. Jenkins,	C. J. Walton,
W. A. Cunningham,	J. R. Leslie,	George Wright—26.
P. F. Edwards,	D. H. Lindsay,	

The question was then taken on reconsidering the vote by which the Senate had rejected said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	P. A. Lyon,
Thos. J. Barker,	Joseph Gardner,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	Thos. W. Varnon,
W. W. Culbertson,	S. H. Jenkins,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton—25.
P. F. Edwards,		

Those who voted in the negative, were—

James Blackburn,	R. G. Hays,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
James B. Garnett,	R. B. Lovel,	H. A. Tyler,
James W. Hays,	Sumner Marble,	George Wright—12.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton—22.
H. F. Finley,		

Those who voted in the negative, were—

Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	S. H. Jenkins,	G. W. Swoope,
Scott Brown,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	R. B. Lovel,	H. A. Tyler,
James B. Garnett,	Sumner Marble,	George Wright—16.
James W. Hays,		

Said bill reads as follows, viz :

[*For bill, see Senate Journal January 22d, 1876.*]

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill for the benefit of Charles G. Wintersmith, of Hardin county.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Charles G. Wintersmith was, at the September term of the Meade circuit court, 1873, appointed by an order of said court to prosecute one Samuel Crawford, on an indictment for murder. Said appointment was made because Joseph Haycraft, the Commonwealth's attorney, prior to his election as such, was employed in the defense of said defendant Crawford, and could not with propriety prosecute in said case; and there being no law authorizing the proper accounting officer to pay said Wintersmith for his services, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the Treasurer for two hundred dollars, in favor of Charles G. Wintersmith, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	H. F. Finley,	D. H. Lindsay,
Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	James W. Hays,	E. W. Turner,
W. W. Culbertson,	R. G. Hays,	Thos. W. Varnon,
W. A. Cunningham,	B. W. S. Huffaker,	W. L. Vories,
P. F. Edwards,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—24.

Those who voted in the negative, were—

Wm. J. Berry,	R. B. Lovel,	J. H. Stanley,
Joseph Gardner,	P. A. Lyon,	G. W. Swoope,
S. H. Jenkins,	Sumner Marble,	H. A. Tyler—9.

*Resolved*, That the title of said bill be as aforesaid.

On motion of Mr. Huffaker, leave of absence, indefinitely, was granted Mr. Wright.

The Speaker laid before the Senate the response of the Auditor of Public Accounts to a resolution calling on him for information in regard to sums of money paid to attorneys employed to represent the State in certain cases.

Said response reads as follows, viz :

STATE OF KENTUCKY,	}
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,	
FRANKFORT, Feb. 4, 1876.	

HON. JNO. C. UNDERWOOD, *Lieutenant Governor and Speaker of the Senate*:

SIR: I herewith transmit a statement required of me by a resolution of the General Assembly, calling on me to state whether I drew my warrant in favor of any attorney other than the Attorney General, between the 10th October, 1873, and the 10th day of October, 1875, for services in behalf of the Commonwealth in any case prosecuted in the Franklin Circuit Court, the Court of Appeals, or the Courts of the United States for the district of Kentucky, &c., which said statement gives the information demanded of me by said resolution.

I have the honor to be, very respectfully,

Your obedient servant,

D. HOWARD SMITH, *Auditor*.



1873.

## COSTS OF SUITS.

November 11.	Lucius P. Little, warrant No. 6464, account approved by Governor Leslie, and ordered to be paid under act February 24th, 1873, for fee for services in preparation for the trial, and conducting trial of case, determined in United States Circuit Court at Louisville, of Commonwealth of Kentucky vs. Richard J. Yarber, indicted by the Daviess Circuit Court for murder of Wm. Riggs-----	\$300 00
1874.		
April	7. R. T. Petree, warrant No. 2176, for taking sundry depositions at Hopkinsville, in case of Commonwealth vs. Evansville, Henderson and Nashville R. R. Co., pending in Franklin Circuit Court, under employment of Attorney General, and paid by his order under section 494, Civil Code -----	50 00
June	23. W. R. Thompson, warrant No. 3771, for taking depositions at Louisville in case of Commonwealth vs. Bank of Kentucky, pending in Franklin Circuit Court, under employment of Attorney General, and paid by his order under section 494, Civil Code -----	75 00
July	18. G. H. Morrow, warrant No. 4256, for attending taking of depositions by defendant at Paducah, in case of Commonwealth vs. Paducah and Gulf and Paducah and Memphis R. R. Co., pending in Franklin Circuit Court, under employment of Attorney General, and paid by his order under section 494, Civil Code -----	30 00
September	2. W. H. Botts, warrant No. 4811, for services, as compensation to him, and expenses going to and returning from Owingsville, and prosecuting suit in Bath Circuit Court, and one in Franklin Circuit Court, for the State, against W. W. Baldwin and others, under employment of the Governor, and paid under act of February 24th, 1873----	250 00
October	2. G. H. Morrow, warrant No. 5251, account for services, approved by Attorney General under section 494, Civil Code—for taking depositions at Paducah, in case of the Commonwealth vs. Elizabethtown and Paducah R. R. Co., now Louisville, Paducah and Southwestern R. R., pending in Franklin Circuit Court-----	30 00
November 16.	Henry Stansberry, warrant No. 6223, account approved by Governor Leslie, under act of February 24th, 1873, for services in the United States Circuit Court at Louisville, on Lexington municipal election cases-----	1,000 00
November 24.	George R. McKee, warrant No. 6420, under act of February 23d, 1874, entitled "An act to provide for the reimbursement and compensation of Geo. R. McKee, for expenses incurred and services performed in the prosecution of the claim of Kentucky against the Government of the United States, known as the War Claim"-----	1,000 00

November 30.	John Rodman, warrant No. 6515, account approved by Governor Leslie, under act February 24th, 1873, for two trips to Shelbyville, and four days' services and argument in case of Commonwealth vs. Huss and four others—Ku-Klux cases. Services were rendered under special direction of Governor Leslie -----	\$300 00
December 7.	Thomas F. Hargis and W. H. Holt, warrant No. 6708, account approved by Governor Leslie, under act February 24th, 1873, for services in bringing and prosecuting snit in Montgomery Circuit Court, of Commonwealth vs. Baldwin, &c., to recover possession of turnpike road -----	500 00
December 18.	Breckinridge & Buckner, warrant No. 6968, account approved by Governor Leslie, under act of February 24th, 1873, for fee for resisting in the Federal Court at Louisville Federal interference with Kentucky elections -----	500 00
December 26.	J. W. Kendall, warrant No. 7092, account approved by Governor Leslie, under act February 24th, 1873, for services performed in suit in Montgomery Circuit Court, of the Commonwealth vs. Baldwin, &c. -----	\$100 00

1875.

February 23.	S. K. Smith, warrant No. 1018, account approved by the Attorney General and ordered to be paid by him under section 494 Civil Code, being for services in taking depositions at Louisville, in the cases of the Commonwealth vs. George E. Cooke & Son, and the same vs. Elizabethtown and Paducah R. R. Co., pending in Franklin Circuit Court -----	40 00
June 1.	Alexander & Dickinson, warrant No. 2865, for services as stated in the following account approved by Governor Leslie, and paid under act of February 24th, 1873, to-wit: "Fee for services in defending <i>habeas corpus</i> cases (2) of Willis Russell and Thomas M. Walker (charged with murder in Owen Criminal Court), before United States Circuit Court for Kentucky district, including services in preparation of cases, attendance in court, argument of the cases, preparation of bill of exceptions and appeal, &c., each case \$1,000 -----	2,000 00

The foregoing account has the following indorsements thereon, to-wit:

"At the request of Judge Alexander, I have reflected upon what would be a reasonable fee in the cases described in the above bill. I consider the sum of two thousand dollars, in the two cases, a very reasonable charge."

"MARTIN BIJUR."

"I concur in the opinion above expressed by Mr. Bijur, May 24th, 1875. "ISAAC CALDWELL."

"I represented the United States in the *habeas corpus* cases of ex-parte Willis Russell and ex-parte Thos. M. Walker. The preparation of the evidence and the trial of the causes

occupied about three weeks. The evidence was very voluminous, and examination of the facts and law of the case required much arduous labor.

"G. O. WHARTON, *U. S. Attorney, Kentucky District.*"

June	9.	W. H. Botts, warrant No. 3094, account approved and allowed by Governor Leslie, under act of February 24th, 1873, "for trips made in September and October, 1874, and January and February, 1875, to Covington, and services rendered to the State, in consultation with attorneys employed by individual stockholders in negotiating with trustees Cincinnati and Chattanooga R. R. for, and final sale of part of Covington and Lexington Turnpike Road, including expense of trips made -----	\$400 00
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June	23.	Mair & Wickliffe, warrant No. 3377, fee in suit of Commonwealth vs. John G. Samuels and others, pending in Franklin Circuit Court, "supervising, making money, and collecting and remitting money (\$15,000)," paid under chapter 92, article 11, section 17, General Statutes -----	500 00
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Indorsed as follows:

"I am satisfied from my knowledge of this case—and I know much—this fee is reasonable.

"JOHN RODMAN, *Attorney General.*"

"Correct.

D. HOWARD SMITH, *Auditor.*"

"Approved.

P. H. LESLIE, *Governor.*"

July	6.	J. H. Dorman, warrant No. 3035, account allowed and approved by Governor Leslie, under act February 24th, 1873, for "traveling expenses and services rendered in resisting writ of <i>habeas corpus</i> , before the United States District Court for Kentucky, sued out to take from jailer of Owen county Henry Walker and four others, indicted in Owen Criminal Court for murder" -----	400 00
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July	12.	M. C. Johnson, warrant No. 3762, account allowed and approved by Governor Leslie, under act February 24th, 1873, for fee and expenses incurred in case of the Commonwealth vs. T. C. Jones, in Court of Appeals. The Attorney General refused to appear in Court of Appeals in this case—he having been a member of the "contesting board" which sat in Jones' case -----	1,188 60
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August	27.	John Rodman, warrant No. 4660, account approved and ordered to be paid by Governor Leslie, under act 24th February, 1873: "Petition and services—equity—with injunction vs. Baldwin, &c., in Montgomery Circuit Court, in regard to Maysville and Mt. Sterling turnpike company" -----	\$100 00
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		Petition for Commonwealth to be made a party in McCracken Circuit Court, in case Commissioner Sinking Fund, McCracken county vs. Bigger, &c. -----	50 00
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Petition for same purpose, same court, same  
parties vs. Allen, &c.----- \$50 00

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\$200 00

1873.

SINKING FUND.

December 24.	E. I. Bullock, warrant No. 65, fee for legal services in Court of Appeals, in case of Commonwealth vs. H. I. Todd, allowed and ordered to be paid by Commissioners of the Sinking Fund -----	250 00
1875.		
April	7. John Rodman, Attorney General, warrant No. 19, fee allowed by Commissioners of the Sinking Fund, for bringing suit against the Citizens' Bank of Louisville, to recover twelve thousand dollars—said suit having been dismissed—the money being paid before judgment -----	\$200 00
August	18. John W. Rodman, warrant No. 34, fees allowed by Commissioners of the Sinking Fund, for services performed and expenses incurred in taking depositions and cross-examination of witnesses, in case of the Commonwealth vs. H. I. Todd, and H. I. Todd vs. Commonwealth—pending in Franklin Circuit Court—account includes two trips to Louisville and one to Lexington -----	456 90
January	9. George R. McKee, warrant No. 7, for the benefit of Burton & Casey, for services rendered the State, in the Supreme Court of the United States, under employment of the Commissioners of the Sinking Fund, by virtue of the act approved March 22d, 1871 -----	1,220 00

Attest:

D. HOWARD SMITH, Auditor.

Mr. Goodloe, from the Committee on General Statutes and Codes of Practice, to whom was referred leave to bring in

A bill to amend article 3, chapter 52, General Statutes,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Goodloe, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 1, chapter 51, of General Statutes,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

On motion of Mr. Barbour, a bill from the House of Representatives, entitled

An act for the benefit of the Louisville Water-works,



Which had been referred to the Committee on Finance, was referred to the Committee on the Judiciary.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Vories, from the Committee on Banks and Insurance—

1. A bill to amend an act, entitled “An act for the incorporation and regulation of life insurance companies,” approved March 12th, 1870.

By Mr. Hodge, from the Committee on Railroads—

2. A bill in relation to an act to incorporate the Kentucky and Great Eastern Railway Company, approved March 22d, 1870.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

3. A bill to change the time of holding the quarterly courts for the county of Madison.

By same—

4. A bill to secure the punishment of crime in that part of Kentucky bordering on the State of Tennessee.

By same—

5. A bill to amend article 2, chapter 33, entitled “Elections,” of the General Statutes.

By same—

6. A bill to reduce into one and amend and digest the acts and amendatory acts incorporating the city of Augusta, in Bracken county.

By same—

7. A bill to prevent the erection of traps and dams in Rockcastle river.

By same—

8. A bill in relation to official sales in the counties of Nelson, Spencer, and Shelby.

By same—

9. A bill to amend section 4, article 7, chapter 28, General Statutes.

By same—

10. A bill to amend sub-section 4 of section 395 of Criminal Code of Practice.

By same--

11. A bill to amend the General Statutes as to changes of venue in criminal and penal cases.

By Mr. Goodloe, from the Committee on General Statutes and Codes of Practice--

12. A bill to amend section 3, article 7, chapter 28, of the General Statutes.

By same--

13. A bill to amend an act to amend an act, entitled "An act to incorporate the Kentucky Association for the Improvement of the Breed of Horses."

By same--

14. A bill to legalize certain wills, and render the persons therein mentioned able and competent to inherit.

By same--

15. A bill to change the county line between the counties of Knox and Bell.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and recommitted to the Committee on Banks and Insurance; the 4th was ordered to be printed and made the special order of the day for Friday next, the 14th inst., at 11 o'clock, A. M.; the 8th was placed in the orders of the day; the 14th was ordered to be printed and placed in the orders of the day, and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the town of Arlington, in the county of Ballard;

An act to exempt the county of McCracken and other counties from the provisions of section 4, article 3, chapter 27, General Statutes;

An act to amend an act, entitled "An act to create a court of common pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford, and Scott ;"

An act to amend the charter of the Lebanon and Perryville Turnpike Road Company;

An act to amend an act to amend the charter of Fisherville and Buck Creek Turnpike Company, in Shelby county;

An act to amend an act to charter the town of Kuttawa, in Lyon county;

An act to amend the charter of the Lebanon, Barbourville, and Mackville Turnpike Road Company;

An act for the benefit of John Lay, sheriff of Knox county;

An act for the benefit of Elizabeth Durham, of Green county;

An act giving the assessor of Trigg county one month additional time to return his books ;

An act for the benefit of the Farmers and Drovers' Insurance Company, of Louisville, Kentucky;

An act to repeal chapter 332 of Session Acts 1873, and chapter 248 of Session Acts 1873-'4 ;

And bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of James Wilson, of Bell county ;

An act for the benefit of county judges, clerks, sheriffs, and other civil officers of this Commonwealth having uncollected fee bills ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

And then the Senate adjourned.

## SATURDAY, FEBRUARY 5, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, entitled

An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties.

An act to regulate the holding of circuit courts in the sixteenth judicial district.

An act for the benefit of Wm. Williams, late county and circuit court clerk of Owsley county.

An act to amend section 8 of article 7 of chapter 18 of General Statutes.

An act for the benefit of James Wallace, late sheriff of Christian county.

An act to amend an act, entitled "An act to secure the payment into the Treasury of all fines, taxes, and license fees collected by trustees of the jury fund, clerks, and other officers," approved February 23, 1874.

An act for the benefit of M. C. Rowland, sheriff of Marshall county.

An act for the benefit of school district No. 51, in Greenup county.

An act empowering the Governor of this Commonwealth to appoint a sheriff for Breathitt county, and agree with him as to compensation.

An act for the benefit of Lawrence K. Steffey, of Barren county.

An act to change the time of holding the quarterly courts of Pendleton county.

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of J. P. Nuckols, of Barren county;

An act to continue in force an act approved February 3d, 1874, for the benefit of W. L. Crumbaugh, late sheriff of Lyon county.

Resolution to appoint a joint committee to ascertain result of vote on Constitutional Convention.

That they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled



An act to incorporate the town of Newville, located in parts of Daviess, McLean, and Ohio counties.

That they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of W. B. Withers, sheriff of Lincoln county.

An act for the benefit of James P. Webb, of Grant county.

An act to authorize the jailer of Trigg county to appoint a deputy.

An act to amend an act, entitled "An act to amend article 1, chapter 59, of the General Statutes," and to repeal an act, entitled "An act to regulate the sale and storage of oils made from coal, petroleum, and other bituminous substances, and for the better protection of life and property," approved March 21st, 1870, and the acts amendatory thereto, severally approved February 24th, 1873, and March 8th, 1873, and further regulate the inspection and gauging burning fluids, approved February 21st, 1874.

An act extending the time for the payment of revenue and county levy of Clay county for the year 1875.

An act for the benefit of John P. Barrett, late sheriff of Ohio county.

An act to amend the charter of the city of Henderson, and the several acts in relation thereto.

Resolution requesting our Senators and Representatives in Congress to vote in aid of the Texas Pacific Railroad.

That they had passed bills of the following titles, viz :

1. An act to repeal an act to prevent the sale of spirituous and vinous liquors in Elkton, Todd county, approved December 20, 1871.

2. An act for the benefit of the jailer of Daviess county.

3. An act for the benefit of Thomas Ballou, of Pulaski county.

4. An act for the benefit of Elias Dorsey's estate.

5. An act for the benefit of George E. Johnston, sheriff of Taylor county.

6. An act for the benefit of Seymour H. Perkins, clerk of the Todd county court.

7. An act to amend an act, entitled "An act to incorporate the Shelbyville and Bardstown Turnpike Company."

8. An act to repeal the charter of Big Spring, in the counties of Meade, Hardin, and Breckinridge.

9. An act to establish a district for the purpose of working and keeping in repair certain roads running into the town of Big Spring, in the counties of Meade, Hardin, and Breckinridge.

10. An act incorporating the town of Cherry Hill, in Trigg county.

11. An act for the protection of sheep in the counties of Henderson, Breckinridge, Meade, Ohio, Caldwell, Hancock, McLean, and Daviess.

12. An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on Claims; the 3d, 4th, 5th, 6th, and 12th to the Committee on Finance; the 7th and 9th to the Committee on Internal Improvement; the 8th and 10th to the Committee on the Judiciary, and the 11th to the Committee on Agriculture and Manufactures.

On motion of Mr. Swoope, leave of absence, indefinitely, was granted Mr. Ewing.

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, reported

A bill in regard to master commissioners in the several circuit, chancery, and common pleas courts of this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed and made the special order of the day for Friday next, the 11th inst., at 11 o'clock, A. M.

Leave was given to bring in the following bills, viz:

On motion of Mr. Hodge—

1. A bill to entitle persons charged with crime to testify in certain cases.

On motion of Mr. Simmons—

2. A bill to amend the charter of the Covington Transfer Company.

On motion of Mr. Cunningham—

3. A bill to amend chapter 113 of the General Statutes, entitled "Wills."

On motion of same—

4. A bill to punish the adulteration of drugs and medicines in this Commonwealth.

On motion of Mr. Lyon—

5. A bill to authorize the sale of the stock owned by the county of Logan in the Louisville and Nashville Railroad Company.

On motion of Mr. Varnon—

6. A bill to authorize the trustee of the jury fund of Lincoln county to pay jurymen summoned to assess damages against the Cincinnati Southern Railway.

On motion of same—

7. A bill to authorize the clerk of the Lincoln county court to appoint his wife, Mrs. Eliza A. Blain, deputy clerk of said court.

On motion of same—

8. A bill to pay for services rendered by the State Guard called out by Judge Owsley.

On motion of Mr. R. G. Hays—

9. A bill for the benefit of the proprietors or owners of the Louisville Volksblatt.

On motion of Mr. Finley—

10. A bill for the benefit of James Dees, of Laurel county.

On motion of Mr. Turner—

11. A bill to amend the charter of the town of Richmond.

*Ordered*, That the Committee on the Judiciary prepare and bring in the 1st, 2d, and 3d; the Committee on General Statutes and Codes of Practice the 4th, 6th, 7th, and 11th; the Committee on Finance the 5th, 9th, and 10th, and the Committee on Military Affairs the 8th.

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, to whom was referred leave to bring in

A bill to amend section 1 of article 1 of chapter 62 of the General Statutes,

Asked to be discharged from the further consideration of said leave.

Which was granted.

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, to whom was referred leave to bring in

A bill to repeal sections 8, 9, and 15, and to amend section 14 of chapter 75, General Statutes,

Asked to be discharged from the further consideration of said leave.

Which was granted.

The yeas and nays being required thereon by Messrs. Finley and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
W. A. Cunningham,	J. R. Leslie,	E. W. Turner,
P. F. Edwards,	D. H. Lindsay,	H. A. Tyler—17.
Andrew J. Ewing,	R. B. Lovel,	

Those who voted in the negative, were—

W. W. Culbertson,	James W. Hays,	P. A. Lyon,
H. F. Finley,	B. W. S. Huffaker,	Sumner Marble,
Joseph Gardner,	John Hyden,	Joseph B. Read—9.

*Ordered*, That said leave be referred to the Committee on the Judiciary.

Mr. Barker, from the Committee on General Statutes and Codes of Practice, reported

A bill to repeal an act, entitled "An act to amend an act reducing into one the several acts in relation to the town of Taylorsville," approved February 21st, 1874.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barker, from the Committee on General Statutes and Codes of Practice, to whom was referred leave to bring in

A bill to amend section 1, article 29, chapter 29, of General Statutes,

Asked to be discharged from the further consideration of said leave.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Blackburn, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	G. W. Swoope,
Wm. J. Berry,	D. H. Lindsay,	E. W. Turner,
Scott Brown,	R. B. Lovel,	H. A. Tyler,
P. F. Edwards,	Joseph B. Read,	C. J. Walton—14.
Andrew J. Ewing,	Robert Simmons,	



Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	J. R. Leslie,
James Blackburn,	R. G. Hays,	P. A. Lyon,
W. W. Culbertson,	George B. Hodge,	Sumner Marble,
W. A. Cunningham,	B. W. S. Huffaker,	C. N. Pendleton,
H. F. Finley,	John Hyden,	Thos. W. Varnon,
Joseph Gardner,	S. H. Jenkins,	W. L. Vories—19.
James B. Garnett,		

On motion of Mr. Swoope,

*Ordered*, That said leave be referred to the Committee on the Judiciary.

Mr. Walton, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act to refund to J. E. Abbott, administrator of D. C. Doran, certain damages paid to the State,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, D. C. Doran was sheriff of Hart county in 1871, and on account of bodily affliction failed to collect and pay over all the revenue in due time, and judgment was rendered against him and his sureties for a balance due and three hundred and seventy-seven dollars and fifty-one cents damage, all of which has been fully paid into the State Treasury by J. E. Abbott, who was a deputy of said Doran, and his administrator; and whereas, it appears that said Doran died of his said affliction, leaving an afflicted family pecuniarily embarrassed; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of three hundred and seventy-seven dollars and fifty-one cents, the damages paid by J. E. Abbott, administrator of D. C. Doran, to the Auditor of Public Accounts, be, and the same is hereby, directed to be refunded.

§ 2. That the Auditor of Public Accounts draw his warrant on the Treasury in favor of J. E. Abbott, administrator of D. C. Doran, for the sum of three hundred and seventy-seven dollars and fifty-one cents, to reimburse the family of said Doran for said payment of damages.

§ 3. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,

W. A. Cunningham,	John Hyden,	E. W. Turner,
P. F. Edwards,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton--28.
James B. Garnett,		

Those who voted in the negative, were—

Wm. J. Berry, R. B. Lovel--2.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Walton, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John E. Abbott, of Hart county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, John E. Abbott was sheriff of Hart county in 1872, and judgment was rendered against him in Franklin circuit court for a considerable sum in favor of the State for unpaid taxes, and the sum of two hundred and fifty-two dollars and forty-four cents damages and costs, all of which he has paid, as well the principal and costs as its damages; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the damages so paid be, and the same shall be, refunded, and that the Auditor of Public Accounts draw his warrant on the Treasury in favor of John E. Abbot for the sum of two hundred and fifty-two dollars and forty-four cents, the amount of said damages.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton--28.
Joseph Gardner,		

Those who voted in the negative, were—

Wm. J. Berry, R. B. Lovel, Sumner Marble--3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Vories, from the Committee on Banks and Insurance, reported  
A bill to incorporate the Farmers and Traders' Bank.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That C. R. Tyler, Y. L. Ford, Lynch Gray, Jas. Yewell, A. J. Turpin, C. Riley, A. D. Hill, P. J. Miller, M. Smithimer, W. W. Hays, David Hamilton, Henry Heer, W. T. Ellis, and E. P. Colgar, are hereby appointed commissioners to obtain subscriptions to the stock of the corporation hereinafter created, any one of whom may, in the city of Owensboro and Daviess county, open books and receive subscriptions of stock to said corporation, from day to day, until the stock shall have been subscribed, when the books shall be closed and delivered to the subscribers, who shall thereupon constitute a body-politic and corporate, with the corporate name of the "Farmers and Traders' Bank". The said subscribers and their successors shall so continue for the period of twenty-five years; and may contract and be contracted with, sue and be sued, implead and be impleaded, answer and defend, in all courts and places whatever; may have and use a seal, and exercise all other powers usually incident to such corporations.

§ 2. The capital stock of said corporation shall not be less than thirty thousand nor more than two hundred and fifty thousand dollars, and shall be divided into shares of one hundred dollars each, which shall be personal property, and transferable only on the books of the corporation in such manner as the board of directors may prescribe; and the said bank shall have a prior lien on the stock held and owned by its stockholders to secure any indebtedness which may be incurred by said stockholders to said corporation, which said lien shall be inserted in the certificate of stock issued by said corporation.

§ 3. Upon the receipt of the books of subscription, the subscribers, or a majority in interest of them, shall meet and elect five persons, who shall be stockholders, to serve as directors in said bank, until the second Monday in January following, and until their successors are elected and qualified. The regular meeting of stockholders for the annual election of directors shall be the second Monday in January each year; but meetings may be held oftener if the directors, or a majority of them, require it; and in all meetings of stockholders, each person shall be entitled to one vote for every share of stock held by him, which vote may be cast in person or by written proxy.

§ 4. The board of directors shall elect one of its members president and one vice president, and appoint such other officers, agents, and servants as they may deem necessary, fix their salaries, prescribe their duties, and take from them such bonds to secure the faithful performance of their duty as they may think reasonable and proper. In case of death or resignation of any director, the vacancy can be filled by the board of directors until the next annual election. They may make such by-laws as may be necessary for the proper government of said bank, provided the same



be not inconsistent with the laws of this State or of the United States. They shall have power to receive subscriptions for so many shares of the stock of said bank remaining unsold as they may at any time choose to sell, and to declare dividends of the profits arising out of the business.

§ 5. It shall be lawful for said bank to transact financial business as a natural person, to loan money, discount promissory notes or bills of exchange, deal in bullion, coin, exchange, stocks, or other securities or evidence of debt, and do a general banking business. All bills of exchange and promissory notes, made payable at said bank or any other bank or office of business, discounted by it, shall be put on the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the makers, drawers, and indorsers, or any one or more of them. Said bank may receive deposits of gold, silver, bank notes, or other notes which may be circulating as money, and repay the same in such manner, at such times, and with such interest, not exceeding the lawful rate allowed by law, and take personal and other securities for the payment of any loan or indebtedness.

§ 6. Said bank may receive promissory notes by assignment, United States vouchers, warehouse receipts, bills of lading, mortgage on unencumbered real estate, worth at least double the amount secured thereby, bonds, stocks, produce, or any other property, in pledge for the security of money loaned, liabilities due or maturing to said bank, and sell the same on the non-payment of the debt, on demand, according to law.

§ 7. Said bank may issue certificates of deposit and letters of credit, payable at its office or elsewhere, but shall not issue notes to circulate as money.

§ 8. Said bank may acquire, hold, possess, use, occupy, and enjoy all such real estate, goods and chattels, as may be convenient for the transaction of its business, or to further the objects of its creation, or which may be conveyed to it as security for any debt, or purchased to aid in satisfaction of any debt, judgment, or decree, and sell and convey the same.

§ 9. Minors and married women may make deposits and own stock in said bank, and control the same, and the check or receipt of such minor or married woman for the sum so deposited, dividends on stock, or for any other purpose, shall be valid to all intents and purposes as though such minor was an adult, or such married woman a feme sole.

§ 10. Said bank may construct, purchase, or lease such elevators, safes, or warehouses (or may store in the warehouses of others, upon their giving such bond, with security, as the board of directors may require), as may be convenient for storing agricultural or other products, merchandise, or other property that may be pledged to said bank, upon which advances have been made, or which may be left with said bank for safe-keeping. For storing and for handling such produce or property, said bank may charge a reasonable compensation, and may have all or any part of such articles or property insured in solvent insurance companies, and charge the current rates for such insurance, and have a lien on all such property, subject to any prior lien known, or that could be known, after diligent search and inquiry, to secure the payment of any advances, interest, charges, or other claims on said property, or sell such property by due process of law.

§ 11. Payment for the shares subscribed shall be made in current funds as follows: ten dollars on each share shall be paid within ten days after the meeting of the first board of directors, and the remainder in such sums and at such times as the directors may appoint; and should any subscriber fail to pay his subscription to the stock as herein provided, the direct-



ors may, after giving thirty days' notice to such subscriber of such purpose, by resolution duly passed and entered on the records of said bank, forfeit such shares of stock, and sell the same at such time as they may deem expedient; and all partial payments made on such shares of stock so forfeited shall be held for the benefit of the bank. Said bank may commence business so soon as ten thousand dollars shall have been paid in, and the president or cashier have certified the same, under oath, before a judge, justice, or notary public.

§ 12. If any officer of said bank shall wrongfully appropriate any of the funds thereof to his own use, or shall willfully or knowingly make any false entry on the books of said bank, with intent to cheat or defraud the corporation, such officer shall be deemed guilty of a felony, and upon a conviction thereof, shall be confined in the penitentiary not less than one nor more than ten years.

§ 13. Said bank shall, on or before the tenth day of January in each year, pay into the State Treasury fifty cents on each one hundred dollars of the capital stock subscribed and actually paid in, which shall be in full of all tax and bonus of every kind. The cashier shall, at the same time, transmit to the Auditor of the State a verified statement of the condition of the bank, and shall, on the first days of January and July in each year, make and publish, under oath, a statement of all the assets and liabilities of said bank.

§ 14. For the contracts of the corporation each stockholder shall be individually responsible to the amount only of the stock held by him in the corporation.

§ 15. The place of business of said bank shall be in the city of Owensboro.

§ 16. The stock in the warehouse shall not be exempt from taxation under the provisions of this act.

§ 17. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	E. W. Turner,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
Joseph Gardner,	Joseph B. Read,	C. J. Walton—22.
Duncan Harding,		

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	J. R. Leslie,
James Blackburn,	James W. Hays,	Sumner Marble,
H. F. Finley,	S. H. Jenkins,	H. A. Tyler—9.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to change the time of holding justices' courts in Washington county;

An act to amend an act, entitled "An act to incorporate the Louisville Law Library Company," approved February 8th, 1839;

An act to legalize the collection of toll on the Owenton and Ross Mill Turnpike Road;

An act for the benefit of R. N. Walker, late sheriff of Crittenden county;

Resolution to appoint a committee on State's interest in Covington and Lexington Turnpike Road Company;

And bills, which originated in the Senate, of the following titles, viz :

An act to repeal chapter 579 of the acts of 1873-'4;

An act to amend an act, entitled "An act to incorporate Jerusalem Lodge, No. 9, Ancient York Masons, of Henderson," approved January 9, 1868;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, FEBRUARY 7, 1876.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to regulate the call and trial of Commonwealth and civil causes pending in the Hardin circuit court.

That they had also passed bills of the following titles, viz :

1. An act to amend the charter of the Ford's Mill and Kentucky River Turnpike Road Company.

2. An act to amend the charter of the Salvisa and Kirkwood Turnpike Road Company.

3. An act to amend an act, entitled "An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county," approved March 25, 1872.

4. An act to amend the charter of the Orangeburg and Tollsboro Turnpike Road Company, in Mason county.

5. An act to repeal an act, entitled "An act for the preservation and production of game and fish in Bourbon county," approved January 22, 1874.

6. An act to amend the charter of the Kenton Station Turnpike Road Company, in Mason county.

7. An act to change the location of the Wilderness Turnpike Road, in Laurel county.

8. An act to amend the charter of the Athens and Walnut Hill Turnpike Company.

9. An act to regulate the release of liens.

10. An act to amend an act to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, 6th, 7th, and 8th to the Committee on Internal Improvement ; the 5th to the Committee on Courts of Justice ; the 9th to the Committee on the Judiciary, and the 10th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion, leave of absence, indefinitely, was granted Messrs. Cleveland, Lindsay, and Read.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. J. W. Hays, from the Committee on Religion and Morals—

An act to amend an act to incorporate Louisville Presbyterian Orphans' Home Society, approved February 23, 1849.

By same—

An act to enable the Literary Society of St. Louis Bertrand, of Louisville, Ky., to issue mortgage bonds.

By same—

An act to amend an act, entitled "An act to incorporate the Bardstown Baptist Female College, at Bardstown."

By Mr. Stanley, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport." (Session Acts 1850-'51, vol. 2, page 270.)

By same—

An act to repeal an act to prevent the sale of spirituous and vinous liquors in Elkton, Todd county, approved December 20, 1871.

By Mr. Harding, from the Committee on Religion and Morals—

An act to repeal an act, entitled "An act to regulate sales made under decrees of the Barren circuit court," approved January 13, 1872.

By Mr. Berry, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous or malt liquors in Sardis precinct, Mason county.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of John Welch, of Franklin county.

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

An act to amend the charter of the town of Shelbyville.



By Mr. Barbour, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to charter the Mechanics' Savings Bank of Paducah," approved February 7, 1867.

With amendments to the last two named bills.

Which were adopted.

*Ordered*, That said bills, the last two as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Hays, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Southern Baptist Theological Seminary,

Reported the same with an amendment.

*Ordered*, That the further consideration of said bill and amendment be postponed till Wednesday next, at 10½ o'clock, A. M.

Mr. Cunningham read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be requested to furnish official copies to the Representatives and Senators from Kentucky in the Congress of the United States of the joint resolutions passed at the present session of this body, requesting their aid in the adoption of proper measures by the Government of the United States to secure the construction of the Texas and Pacific Railroad.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of the clerk of the Muhlenburg circuit court.

On motion,

*Ordered*, That the further consideration of said bill be postponed indefinitely.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend chapter 52 of the General Statutes, entitled "Husband and Wife."

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of James Wilson, of Bell county.

An act for the benefit of county judges, clerks, sheriffs, and other civil officers of this Commonwealth having uncollected fee bills.

An act to amend an act, entitled "An act to incorporate Jerusalem Lodge, No. 9, Ancient York Masons, of Henderson," approved January 9, 1868.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

1. A bill to regulate the call of trial of Commonwealth and civil causes pending in the Hardin circuit court.

By same—

2. A bill to amend section 33, article 1, chapter 39, of General Statutes.

By same—

3. A bill to amend section 3, article 6, chapter 63, of General Statutes.

By same—

4. A bill to authorize the trustees of the various jury funds in the Commonwealth of Kentucky to pay Commonwealth witness claims in certain cases.

By Mr. Hodge, from the Committee on General Statutes and Codes of Practice—

5. A bill to amend chapter 5 of the Civil Code of Practice.

By same—

6. A bill to amend section 1 of article 22 of chapter 28, General Statutes.

By Mr. Varnon, from the Committee on General Statutes and Codes of Practice—

7. A bill to authorize clerk of the Lincoln county court to appoint his wife deputy clerk.

By Mr. Stanley, from the Committee on Religion and Morals—

8. A bill to incorporate the Oakland Cemetery Company, in Gallatin county.

By Mr. Barbour, from the Committee on Banks and Insurance—

9. A bill incorporating and for the benefit of building and loan associations of the county of Jefferson and city of Louisville.

By same—

10. A bill to incorporate the bank of J. B. Wilgus & Co., of Lexington.

By same—

11. A bill to incorporate the Kentucky Wool, Land, and Loan Association.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the 2d was ordered to be printed and placed in the orders of the day; the 4th and 10th were placed in the orders of the day; the 11th was made the special order of the day for Thursday, the 10th inst., at 11½ o'clock, A. M., and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Simmons then moved to reconsider the vote by which the Senate had passed the 7th of said bills.

Which motion was simply entered.

The Senate took up for consideration

A bill to facilitate and insure the collection of the revenue and county levy in the various counties in this Commonwealth.

*Ordered*, That the further consideration of said bill be postponed and made the special order of the day for Wednesday next, the 9th inst., at 10½ o'clock, A. M.

Mr. Barker, from the Committee on General Statutes and Codes of Practice, to whom was recommitted

A bill to amend section 1, article 16, chapter 41, title "Fees," of the General Statutes,

Reported the same with an amendment as a substitute therefor.

Which was adopted.

Mr. Barbour, from the Committee on Banks and Insurance, reported

A bill establishing a bank of deposit in the town of Grayson, Carter county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a bank of deposit in the town of Grayson, Carter county, with a capital not to exceed one hundred thousand (\$100,000) dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of the "Grayson Banking Company," and shall so continue for the term of twenty years from its organization; and shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, and of answering and defending in all courts and places whatsoever. It may have a common seal, and may change and renew the same at pleasure.

§ 2. Said bank shall be managed and controlled by a board of directors, each of whom shall be a stockholder, and shall be elected annually, and, after the first election, shall be elected on the first Monday of March of each succeeding year thereafter, and shall hold office until their successors are elected and qualified. At all elections each stockholder shall be entitled to one vote for each share of stock owned and held by him. It shall be the duty of the board of directors, immediately after organization, to elect a president and employ a cashier, whose respective duties shall be the same as is usual with other banking institutions. Said officers may adopt such by-laws as they may deem necessary for the convenience of their meetings and to regulate the management of their business. Said meetings shall be held in the office or counting-room of said banking company, or at such place as the directors may designate. And in case of the death or resignation of any one of the officers, the remaining officers shall appoint to fill the vacancy from the stockholders of said corporation. And shall receive from the cashier or other employee such bond as they may deem necessary and reasonable for the faithful performance of his duty. The payment of the shares subscribed shall all be made on or before the day of organization of said corporation. Said corporation may commence business as soon as forty thousand (\$40,000) dollars shall have been paid in to the cashier of said banking company, and the president or cashier shall have made oath to the fact of such payment before some



judge or justice. Said officers shall have power to regulate the payment of any additional stock over and above the forty thousand dollars first paid into said business.

§ 3. The stock of the said bank shall be deemed personal property, and shall be assignable according to such rules as the officers of said corporation shall from time to time establish. But said corporation shall have a lien on the stock to secure any indebtedness to said corporation.

§ 4. Said bank shall receive deposits in gold, silver, bank notes, and other notes that may be lawfully circulating as money, and repay the same in such manner, at such times, and with such interest, not to exceed six per cent. per annum, as may be agreed upon with the depositors, by special or general contract; may deal in exchange, loan money, or discount notes and other evidences of debt, take personal security and other securities for the payment thereof, and dispose of the latter as may be agreed upon, in all respects as natural persons may do under the law of the State of Kentucky. And the promissory notes made negotiable and payable at its banking-house, or at any bank, and inland bills which may be discounted by it, shall be, and are hereby, put on a footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the drawers and indorsers thereof.

§ 5. The said corporation may acquire, hold, and possess, use, occupy, and enjoy, all such real estate, goods and chattels, as may suit it and its convenience for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment, decree, or otherwise, and sell and convey the same as it may deem necessary, provided the same be not contrary to the Constitution and laws of this State or of the United States.

§ 6. It shall be the duty of the president or cashier, on the first day of January of each year, to pay into the Treasury fifty cents on each one hundred dollars held and paid for in said corporation, which shall be in full of all taxes or bonus due the Commonwealth of Kentucky on said corporation stock.

§ 7. James Osenton, C. C. Magaun, Merritt Magaun, E. B. Wilhoit, W. D. Jones, and J. D. Jones, are hereby appointed commissioners, any two of whom may open books and receive subscription for the capital stock; and when four hundred shares shall have been subscribed thereto, it shall be their duty to give notice, by printed advertisements, and appoint a day for the election of a board of directors, who shall hold their office until the ensuing annual election, and until their successors are elected and qualified.

§ 8. It shall not be lawful for said bank to issue any note or bill to be passed and used as currency.

§ 9. The General Assembly shall have the right to examine the affairs of said corporation by any committee they may appoint for that purpose, and to amend or repeal this act.

§ 10. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,

James Blackburn,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	W. L. Vories--23.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Wm. J. Berry,	James W. Hays,	J. R. Leslie--5.
Robert A. Briggs,	S. H. Jenkins,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Barbour, from the Committee on Banks and Insurance, reported

A bill for the benefit of the president, directors, and company of the Bank of Kentucky.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, It is represented to this General Assembly that the following coupons of interest, or dividend warrants for interest, on bonds of the State of Kentucky, to-wit:

\$30 coupon for interest due July 1, 1863, on bond No. 46, for \$1,000, dated November 4, 1840, due November 4, 1870;

\$30 coupon for interest due July 1, 1863, on bond No. 47, for \$1,000, dated January 1, 1840, due January 1, 1870;

\$30 coupon for interest due July 1, 1863, on bond No. 280, for \$1,000, dated November 4, 1840, due November 4, 1870;

\$30 coupon for interest due July 1, 1863, on bond No. 394, for \$1,000, dated July 1, 1838, due July 1, 1870;

\$30 coupon for interest due July 1, 1863, on bond No. 787, for \$1,000, dated August 5, 1841, due August 5, 1871;

\$30 coupon for interest due July 1, 1863, on bond No. 972, for \$1,000, dated January 3, 1842, due January 3, 1872;

\$30 coupon for interest due July 1, 1863, on bond No. 47, for \$1,000, dated January 1, 1840, due January 1, 1870;

\$30 coupon for interest due July 1, 1868, on bond No. 437, for \$1,000, dated April 16, 1841, due April 16, 1871;

\$30 coupon for interest due July 1, 1868, on bond No. 755, for \$1,000, dated August 3, 1841, due August 3, 1871;

\$30 coupon for interest due July 1, 1868, on bond No. 849, for \$1,000, dated October 1, 1841, due October 1, 1871;

\$30 coupon for interest due July 1, 1868, on bond No. 1285, for \$1,000, dated September 23, 1842, due September 23, 1872;

\$30 coupon for interest due July 1, 1868, on bond No. 1868, for \$1,000, dated January 1st, 1844, due January 1st, 1874;

have been lost, and that said bonds to which said coupons were attached have long since been paid off and canceled, but that none of said twelve coupons have been paid, but are still due and owing by the State; that

said twelve coupons were, at the time they were lost, the property of the president, directors, and company of the Bank of Kentucky; now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That, upon the execution of a bond to the Commissioners of the Sinking Fund, by the said president, directors, and company of the Bank of Kentucky, with one or more residents and citizens of the State of Kentucky as sureties, to be approved by the Commissioners of the Sinking Fund, conditioned to save harmless and indemnify the State of Kentucky all loss or payment on account of the coupons of interest or dividend warrant aforesaid, the said commissioners are hereby authorized and directed to pay to the said president, directors, and company of the Bank of Kentucky the sum of three hundred and sixty dollars, in full satisfaction of said twelve coupons.

§ 2. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	Duncan Harding,	P. A. Lyon,
Wm. J. Berry,	James W. Hays,	Sumner Marble,
James Blackburn,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham;	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories--25.
H. F. Finley,		

In the negative—S. H. Jenkins—1.

*Resolved*, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. J. W. Hays—

1. A bill for the benefit of William W. Hoskinson, committee of Mary E. and Elizabeth Hoskinson, idiots, of Hardin county.

On motion of same—

2. A bill for the benefit of William F. Combs, committee of Margaret Brown, an idiot, of Hardin county.

On motion of same—

3. A bill for the benefit of M. G. Riney, committee for Jno. B. Yeager, an idiot, of Hardin county.

On motion of same—

4. A bill for the benefit of Lucy Richardson, committee for Martha E. Richardson, an idiot, of Hardin county.

On motion of Mr. Finley—

5. A bill to prevent frauds upon the Treasury, and to punish same.

On motion of same—

6. A bill to secure the collection and payment into the Treasury of Commonwealth judgments and fines.

On motion of Mr. Lyon—

7. A bill to authorize Logan county court to borrow money.

On motion of Mr. Stanley—

8. A bill to incorporate the McDowell District Medical Society.\*

On motion of Mr. Barbour—

9. A bill to repeal the back-tax law for Jefferson county.

On motion of Mr. Vories—

10. A bill to incorporate the Connection Turnpike Road Company.

On motion of Mr. Hyden—

11. A bill for the benefit of William Everage, of Perry county.

*Ordered*, That the Committee on Claims prepare and bring in the 1st, 2d, 3d, and 4th; the Committee on the Judiciary the 5th and 6th; the Committee on Finance the 7th and 8th; the Committee on Courts of Justice the 9th; the Committee on Internal Improvement the 10th, and the Committee on Propositions and Grievances the 11th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Louisville Daily Globe and Louisville Daily Commercial;

An act to incorporate the Paducah Water Company;

And bills and a resolution, which originated in the Senate, of the following titles, viz:

An act for the benefit of W. B. Withers, sheriff of Lincoln county;

An act for the benefit of James P. Webb, of Grant county;

An act to authorize the jailer of Trigg county to appoint a deputy;

An act to amend an act, entitled "An act to amend article 1, chapter 59, of the General Statutes," and to repeal an act, entitled "An act to regulate the sale and storage of oils made from coal, petroleum, and other bituminous substances, and for the better protection of life and property," approved March 21st, 1870, and the acts amendatory thereto, severally approved February 24th, 1873, and March 8th, 1873, and further regulate the inspection and gauging burning fluids, approved February 21st, 1874;

An act to amend an act incorporating the Walnut Street Christian Church of Louisville, approved February 19, 1848;



Resolution requesting our Senators and Representatives in Congress to vote in aid of the Texas Pacific Railroad;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, took up for consideration

A bill to amend chapter 92, article 8, of General Statutes.

Said bill was amended.

Pending the further consideration thereof, on motion, the Senate adjourned.

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## TUESDAY, FEBRUARY 8, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, entitled

An act to repeal chapter 332 of Session Acts 1873, and chapter 248 of Session Acts 1873-'4.

An act for the benefit of Elizabeth Durham, of Green county.

An act giving the assessor of Trigg county one month additional time to return his books.

An act for the benefit of John Lay, sheriff of Knox county.

An act to incorporate the town of Arlington, in the county of Ballard.

An act for the benefit of the Farmers and Drovers' Insurance Company, of Louisville, Kentucky.

An act to amend the charter of the Lebanon, Barbourville, and Mackville Turnpike Road Company.

An act to amend an act to amend the charter of Fisherville and Buck Creek Turnpike Company, in Shelby county.

An act to amend an act to charter the town of Kuttawa, in Lyon county.

An act to amend the charter of the Lebanon and Perryville Turnpike Road Company.

An act to exempt the county of McCracken and other counties from the provisions of section 4, article 3, chapter 27, General Statutes.

An act to amend an act, entitled "An act to create a court of common pleas in the counties of Fayette, Bourbon, Bath, Madison, Woodford, and Scott."

An act to repeal chapter 579 of the acts of 1873-'4.

An act to change the time of holding justices' courts in Washington county.

An act to legalize the collection of toll on the Owenton and Ross Mill Turnpike Road.

An act to amend an act, entitled "An act to incorporate the Louisville Law Library Company," approved February 8th, 1839.

An act for the benefit of R. N. Walker, late sheriff of Crittenden county.

Resolution to appoint a committee on State's interest in Covington and Lexington Turnpike Road Company.

That they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the town of Shelbyville.

That they had disagreed to bills, which originated in the Senate, of the following titles, viz :

An act to amend chapter 1544, entitled "An act to amend the charter of Green River Female College," and other purposes, approved February 20, 1869.

An act to incorporate the district of Cold Spring, in Campbell county.

That they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act to change district No. 44, in Kenton county.

An act to amend the charter of the Louisville and Nashville Railroad Company, and increase the directors thereof to eleven.

An act for the benefit of Hardin county.

An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the Methodist Episcopal Church, South.

An act for the benefit of school district No. 39, in Bath county.

An act for the benefit of school district No. 12, in Warren county.

An act to repeal the charter of the town of Geigersville, in the counties of Boyd and Carter.

An act to authorize the issual of a patent to Isaac Hibbs, jr., and E. Charlton, for the northeast quarter of section 34, township 2, range 1, west.

An act to change the county line between Owen and Grant counties.

An act for the benefit of the trustees of the town of Catlettsburg.

Resolution requesting Governor to furnish official copies to Representatives and Senators in Congress.

That they had passed bills and adopted resolutions of the following titles, viz :

1. An act to amend the charter of the Kentucky River Turnpike Road Company.

2. An act for the benefit of the Daily Volksblatt, of Louisville, Kentucky.

3. An act to prohibit stock from running at large on turnpike roads in Woodford and Boyle counties.

4. An act amending section 30, article 1, chapter 94, General Statutes, title "Roads and Passways," for the benefit of Calloway and Graves counties.

5. An act to amend an act, entitled "An act to incorporate the New Castle and Carrollton Turnpike Road Company."

6. An act to incorporate the Forrest Retreat and Panther Creek Turnpike Road, in Nicholas county.

7. An act authorizing the Wayne county court to sell twenty thousand dollars of the bonds of the county for the purpose of building a court-house.

8. An act to further amend the several acts in relation to the town of Carlisle, in Nicholas county.

9. An act to amend an act, entitled "An act to provide an additional voting precinct in Cumberland county," approved March 16, 1870.

10. An act to change the boundary line of magisterial districts Nos. 2 and 3, in Kenton county.

11. An act allowing Daniel Scott to construct a wharf and break-water on the South Fork of the Kentucky river.

12. An act to incorporate the New Providence and Western Turnpike Road Company.

13. An act to incorporate the DeMossville Turnpike Company.

14. An act for the benefit of common school district No. 8, of Powell county.

15. An act for the benefit of R. L. McElroy, late trustee of school district No. 16, of Marion county.

16. An act for the benefit of Geo. W. Murphy, of Hopkins county.

17. An act for the benefit of common school district No. 35, Rockcastle county.

18. An act to incorporate the Union Library Association of the town of Union, Boone county.

19. An act to authorize the president and faculty of Cottage Home College to confer learned degrees.

20. An act to make additional provision for the education of the colored children in the city of Covington.

21. An act for the benefit of colored common schools in Trimble county.

22. An act for the benefit of common schools in Barren county.

23. An act for the benefit of school district No. 42, Muhlenburg county.

24. An act to amend the charter of the South Carrollton Academy, Muhlenburg county.

25. An act to incorporate Hocker College, of Lexington, Kentucky.

26. An act to increase the number of school trustees to three in each district.

27. An act to incorporate the Breckinridge Literary and Library Association of Owingsville, Bath county.

28. An act to incorporate the town of Burlington, in Boone county.

29. An act to amend the charter of the Danville and Hustonville Turnpike Road Company.

30. An act to amend an act to incorporate the town of Shelby City, in the county of Boyle.

31. An act to prevent stock from running at large in Campbell county.

32. An act to compensate jurors in quarterly, city, and justices' courts in certain counties.



33. An act to repeal an act, entitled "An act to print sheriff's and master commissioner's advertisements of land sales in Carroll county in paper printed in said county."

34. An act for the benefit of the Building and Loan Association of Carrollton.

35. An act to legalize the order of the board of trustees of Glasgow in subscribing \$1,000 to aid in building the Baptist Female College of Liberty Association of Kentucky at Glasgow, and issuing a bond in payment of said subscription.

36. An act for the benefit of S. S. Ferris, former sheriff of Barren county.

37. An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad."

38. An act incorporating the Home Savings Bank, of Winchester, Kentucky.

39. An act for the benefit of the town of Booneville, Owsley county, Kentucky.

40. An act to regulate the times of holding the county court of Daviess county.

41. An act for the benefit of Lee county.

42. An act to amend an act to incorporate the Elizaville Station and Mayslick Turnpike Road Company.

43. An act to authorize the Franklin county court to issue bonds for the aid of turnpike roads and other purposes.

44. An act to amend an act to empower the county court of Franklin county to make subscription to the capital stock in turnpike roads in Franklin county," approved March 16, 1869.

45. An act to repeal an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869, so far as the same applies to the county of Floyd.

46. An act to amend an act, entitled "An act to incorporate the town of Paintsville," approved March 25, 1872.

47. An act to incorporate the Williamstown Deposit Bank.

48. Resolution to appoint committee to report as to propriety of building new stable for Governor's Mansion.

49. Resolution appropriating \$5,000 for Centennial purposes.

50. Resolution to refer to a joint committee so much of the Governor's message as relates to boundary line between Kentucky and Indiana, and report of commissioners concerning same.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 5th, 6th, 12th, 13th, 29th, and 42d to the Committee on Internal Improvement; the 2d to the Committee on Printing; the 3d and 31st to the Committee on Agriculture and Manufactures; the 4th and 45th to the Committee on General Statutes and Codes of Practice; the 7th, 8th, 18th, 32d, 33d, 35th, 40th, 43d, and 44th to the Committee on Courts of Justice; the 9th, 10th, 28th, 30th, 39th, 41st, and 46th to the Committee on the Judiciary; the 11th to the Committee on Propositions and Grievances; the 14th, 15th, 16th, 17th, 19th, 20th, 21st, 22d, 23d, 24th, 25th, 26th, and 27th to the Committee on Education; the 34th, 38th, and 47th to the Committee on Banks and Insurance; the 36th to the Committee on Finance; the 37th to the Committee on Railroads; the 48th, a resolution, to the Committee on Library and Public Offices and Buildings; the 49th, a resolution, to the Committee on Appropriations, and the 50th, a resolution, was taken up, twice read, and adopted, and the Speaker appointed Messrs. Simmons and Stanley said committee.

On motion of Mr. Briggs, Mr. Lovel was added to the Committee on Claims.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz:

An act to amend an act, entitled “An act to amend article 1, chapter 59, of the General Statutes,” and to repeal an act, entitled “An act to regulate the sale and storage of oils made from coal, petroleum, and other bituminous substances, and for the better protection of life and property,” approved March 21st, 1870, and the acts amendatory thereto, severally approved February 24th, 1873, and March 8th, 1873; and further regulate the inspection and gauging burning fluids, approved February 21st, 1874.

An act for the benefit of James P. Webb, of Grant county.

An act to authorize the jailer of Trigg county to appoint a deputy.

An act to amend an act incorporating the Walnut Street Christian Church of Louisville, approved February 19, 1848.

An act for the benefit of W. B. Withers, sheriff of Lincoln county.

Resolution requesting our Senators and Representatives in Congress to vote in aid of the Texas Pacific Railroad.

Mr. Simmons withdrew the motion made by him on yesterday to reconsider the vote by which the Senate had passed a bill, entitled

An act to authorize the clerk of the Lincoln county court to appoint his wife deputy clerk.

Mr. Briggs read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the sum of \$1,000, or so much thereof as is deemed necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of erecting a stable on the Executive grounds, said sum to be expended by and under the direction of the Governor ; and the Auditor is hereby directed to draw his order on the Treasurer for the sum. This resolution shall take effect from its passage.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	R. B. Lovel,
Wm. J. Berry,	James W. Hays,	P. A. Lyon,
James Blackburn,	R. G. Hays,	C. N. Pendleton,
Robert A. Briggs,	George B. Hodge,	Joseph B. Read,
Scott Brown,	B. W. S. Huffaker,	Robert Simmons,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
Joseph Gardner,	D. H. Lindsay,	W. L. Vories—27.

Those who voted in the negative, were—

H. F. Finley,	Sumner Marble,	H. A. Tyler—3.
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A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to authorize the clerk of the Lincoln county court to appoint his wife deputy clerk.

The Senate took up for consideration the resolution heretofore proposed by Mr. Read.

Said resolution reads as follows, viz :

*Resolved by the Senate,* That rule 81 be so amended that it exempts from the operation thereof all bills relating to schools or educational associa-

tions, all bills relating to churches and church property, and all bills relating to lodges or corporations for charitable purposes.

Mr. Vories moved to amend said resolution by substituting the following therefor, viz :

“ *Resolved*, That rule 81 be suspended during the remainder of the present session.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

P. F. Edwards,	B. W. S. Huffaker,	Robert Simmons,
Joseph Gardner,	D. H. Lindsay,	J. H. Stanley,
Duncan Harding,	P. A. Lyon,	Thos. W. Varnon—11.
R. G. Hays,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	G. W. Swoope,
Scott Brown,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories—21.

The question was then taken on the adoption of said resolution, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	B. W. S. Huffaker,	Robert Simmons,
P. F. Edwards,	D. H. Lindsay,	J. H. Stanley,
Joseph Gardner,	R. B. Lovel,	H. A. Tyler,
Duncan Harding,	P. A. Lyon,	Thos. W. Varnon—15.

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	J. R. Leslie,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	G. W. Swoope,
Scott Brown,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories—18.

So said resolution was rejected.

The Senate, according to order, took up for consideration

A bill to establish the 17th circuit court judicial district.



Said bill reads as follows, viz :

WHEREAS, It satisfactorily appears that the population of the State exceeds one million five hundred thousand, and that the public interest requires the creation of another circuit court judicial district; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the seventeenth circuit court judicial district be, and the same is hereby, established, to be composed of the counties of Bullitt, Spencer, Shelby, Anderson, Oldham, Henry, Trimble, and Carroll.

§ 2. That a term of the circuit court shall be held at the court-house in each of said counties, commencing at the time hereinafter specified, and continuing the number of days allotted to each term, if the business requires it.

Shelby, first Monday in March and first Monday in September, each term to continue eighteen juridical days.

Spencer, second Monday in April and second Monday in October, each term to continue twelve juridical days.

Bullitt, fourth Monday in March and fourth Monday in October, each term to continue twelve juridical days; and on the third Monday in June, for the trial of equity and criminal cases, to continue six juridical days.

Oldham, fourth Monday in April and first Monday in November, each term to continue six juridical days.

Henry, first Monday in May and second Monday in November, each term to continue twelve juridical days.

Carroll, third Monday in May and fourth Monday in November, each term to continue twelve juridical days.

Anderson, first Monday in June and second Monday in December, each term to continue twelve juridical days.

§ 3. A circuit judge and Commonwealth's attorney shall be elected in said judicial district on the first Monday in August next for the unexpired terms of said offices.

§ 4. That this act shall take effect and be in force from and after the 1st Monday in July next.

Mr. Barker moved to amend said bill as follows, viz :

Amend by striking out of first section Henry and Carroll.

Strike out all after the third line in second section and insert—

Shelby, first Monday in March and September, each term to continue twenty-four juridical days.

Spencer, third Monday in April and October, each term to continue twelve juridical days.

Bullitt, first Monday in April and October, each term to continue twelve juridical days; and on fourth Monday in June for the trial of equity and criminal cases, to continue six juridical days.

Oldham, first Monday in May and November, each term to continue twelve juridical days.

Trimble, third Monday in May and November, each term to continue twelve juridical days.

Anderson, first Monday in June and December, each term to continue eighteen juridical days.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories—22.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Wm. J. Berry,	Joseph Gardner,	S. H. Jenkins,
Robert A. Briggs,	James B. Garnett,	P. A. Lyon,
Andrew J. Ewing,	B. W. S. Huffaker,	H. A. Tyler—10.
H. F. Finley,		

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill to amend chapter 92, article 8, of General Statutes.

Said bill, as amended, reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That chapter 92, article 8, of General Statutes, be so amended as to add the following to section 22: "That after the expiration of the time allowed for redemption of land sold for taxes, and it has not been redeemed by the person having the right so to do, it shall be the duty of the sheriff of the county, in the name of, and for and on behalf of the Commonwealth of Kentucky, to make a deed of conveyance to the purchaser, his heirs or assigns, to all lands heretofore sold, or that may be hereafter sold, under the provisions of this chapter, which deed shall be prima facie evidence of title in the grantee, so far as the delinquent tax-payer whose land was sold is concerned; and he shall receive one dollar and fifty cents, to be paid by the purchaser.

§ 2. This act shall take effect from its passage.

Mr. Hodge moved further to amend said bill by striking out the words "heretofore sold, or," in the eighth line thereof.

Which was adopted.

Mr. Cunningham moved to strike out the enacting clause of said bill.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Scott Brown,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	B. W. S. Huffaker,	G. W. Swoope,
P. F. Edwards,	John Hyden,	E. W. Turner,
Andrew J. Ewing,	S. H. Jenkins,	W. L. Vories—26.
H. F. Finley,	J. R. Leslie,	

Those who voted in the negative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	Robert Simmons,
W. W. Culbertson,	R. B. Lovel,	H. A. Tyler—6.

So said bill was rejected.

Mr. Barker, from the Committee on the Judiciary, reported bills of the following titles, viz :

1. A bill regulating jurisdiction of the Jefferson circuit court.
2. A bill authorizing the employing and hiring the convicts to work out of the penitentiary.
3. A bill to establish a criminal court in the 6th judicial district, and Hardin county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the 1st was ordered to be printed and made the special order of the day for Thursday next, the 10th inst., at 11½ o'clock, A. M. ; the 2d was ordered to be printed and made the special order of the day for Friday, the 11th inst., at 11 o'clock, A. M., and the 3d was made the special order of the day for Saturday next, the 12th inst., at 11 o'clock.

The Senate took up for consideration engrossed bills of the following titles, viz :

An act to amend section 16, article 13, chapter 38, of the General Statutes.

An act to repeal article 4 of chapter 55 of the General Statutes.

The question was severally taken on the passage of said bills, and it was decided in the affirmative.

*Resolved*, That the titles of said bills be as aforesaid.

The Senate took up for consideration bills of the following titles, viz :

An act to amend chapter 7 of the General Statutes, title "Bastardy."

A bill to amend chapter 18, General Statutes, entitled "Common Schools."

*Ordered*, That the further consideration of the first named bill be postponed till to-morrow, and of the last named bill till to-morrow, at 10½ o'clock, A. M.

The Senate took up for consideration bills of the following titles, viz :

A bill to incorporate the bank of J. B. Wilgus & Co., of Lexington.

A bill to repeal section 4, article 29, chapter 29, of General Statutes.

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of Wells, Mitchell & Co.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had rejected a bill, which originated in the Senate, entitled

An act to amend section 33 of article 2 of chapter 39 of the General Statutes.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

On motion of Mr. Swoope,

*Ordered*, That said bill be recommitted to the Committee on General Statutes.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had rejected a bill, which originated in the Senate, entitled

An act for the benefit of Farmer Rees, of Owen county.



Mr. R. G. Hays moved to lay said motion on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Lindsay and R. G. Hays, were as follows, viz :

Those who voted in the affirmative, were—

H. F. Finley,	R. G. Hays,	H. A. Tyler,
Joseph Gardner,	G. W. Swoope,	Thos. W. Varnon—7.
James B. Garnett,		

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	R. B. Lovel,
Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	C. N. Pendleton,
Scott Brown,	S. H. Jenkins,	Joseph B. Read,
W. W. Culbertson,	J. R. Leslie,	Robert Simmons,
W. A. Cunningham,	D. H. Lindsay,	J. H. Stanley—22.
P. F. Edwards,		

The question was then taken on reconsidering the vote by which the Senate had rejected said bill, and it was decided in the affirmative.

Said bill reads as follows, viz :

[*For bill, see Senate Journal January 24th, 1876.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	C. N. Pendleton,
Thos. J. Barker,	Joseph Gardner,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
W. W. Culbertson,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon—21.

Those who voted in the negative, were—

Wm. J. Berry,	B. W. S. Huffaker,	P. A. Lyon,
H. F. Finley,	S. H. Jenkins,	Sumner Marble,
James B. Garnett,	R. B. Lovel,	G. W. Swoope—10.
R. G. Hays,		

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the disagreement between the two Houses in relation to the second amendment proposed by the

Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of C. W. Thompson, of Metcalfe county.

The question was then taken, "Will the Senate adhere to their second proposed amendment to said bill?" and it was decided in the negative.

The Senate took up for consideration the amendment proposed by the House of Representatives to a resolution, which originated in the Senate, entitled

Resolution directing the Auditor to report the amount of fees received by him in 1875.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls, of the counties of Washington, Ballard, Madison, Bracken, Pendleton, and Grant.

*Ordered*, That the further consideration thereof be postponed till to-morrow morning at 10½ o'clock.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had passed a bill, which originated in the Senate, entitled

An act for the benefit of the circuit court clerks of this Commonwealth.

Mr. Hodge moved to lay said motion on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Read, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	S. H. Jenkins,	Joseph B. Read—4.
R. G. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Wm. Cassius Goodloe,	Sumner Marble,
Robert A. Briggs,	Duncan Harding,	C. N. Pendleton,
Scott Brown,	James W. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,

W. A. Cunningham,	B. W. S. Huffaker,	G. W. Swoope,
P. F. Edwards,	John Hyden,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon—30.

The question was then taken on reconsidering the vote by which the Senate had passed said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	P. A. Lyon,
Wm. J. Berry,	Joseph Gardner,	Sumner Marble,
James Blackburn,	James B. Garnett,	Robert Simmons,
Scott Brown,	Duncan Harding,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon—23.
Andrew J. Ewing,	R. B. Lovel,	

Those who voted in the negative, were—

Thos. J. Barker,	R. G. Hays,	Joseph B. Read,
Wm. Cassius Goodloe,	George B. Hodge,	G. W. Swoope—8.
James W. Hays,	S. H. Jenkins,	

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were also reconsidered.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be lawful for the circuit court clerks of this Commonwealth to charge the same fees in cases of felony for issuing process, and all other services, that are now allowed them in civil cases.

§ 2. *And be it further enacted,* That they shall make the fees chargeable to the State Treasury, and collect the same in like manner as other claims are collected against the State.

§ 3. *Provided, however,* That this act shall not apply to the circuit court clerk in the county of Jefferson.

§ 4. This act shall take effect from and after its passage.

Mr. Turner then moved to amend said bill by striking out the words "the same," in the third line thereof, and insert in lieu thereof the words "one half of the."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered,* That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories—26.
H. F. Finley,	P. A. Lyon,	

Those who voted in the negative, were

Wm. J. Berry,	R. G. Hays,	H. A. Tyler,
Robert A. Briggs,	B. W. S. Huffaker,	George Wright—8.
Wm. Cassius Goodloe,	J. R. Leslie,	

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the resolution heretofore proposed by Mr. Lindsay.

Said resolution reads as follows, viz :

WHEREAS, The Governor of this Commonwealth appointed James K. Patterson, President of the Agricultural and Mechanical College of Kentucky University, commissioner to represent this State in the International Congress of Geographical Science, held in the city of Paris; and whereas, the Governor has received a report from President Patterson, abounding in matter of interest and value to the people of this Commonwealth; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Public Printer be directed to print and furnish each member and officer of the General Assembly fifty copies of said report.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Leave was given to bring in the following bills, viz :

On motion of Mr. Varnon—

1. A bill for the benefit of R. S. Scott, late sheriff of Garrard county, and his sureties.

On motion of Mr. Simmons—

2. A bill to amend the charter of the city of Covington.

On motion of Mr. Vories—

3. A bill to repeal an act to amend section 6 of chapter 30, General Statutes, approved January 24, 1874.

On motion of same—

4. A bill for the benefit of Patsy Willis, in Carroll county.

On motion of Mr. Goodloe—

5. A bill for the benefit of Mrs. E. J. Rees, of Fayette county.



On motion of same—

6. A bill for the benefit of S. L. Chevis, of Fayette county.

*Ordered*, That the Committee on Finance prepare and bring in the 1st; the Committee on the Judiciary the 2d and 4th; the Committee on General Statutes and Codes of Practice the 3d, and the Committee on Charitable Institutions the 5th and 6th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of John Welch, of Franklin county;

An act to amend an act to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville;

And bills, which originated in the Senate, of the following titles, viz:

An act to regulate the call and trial of Commonwealth and civil causes pending in the Hardin circuit court;

An act extending the time for the payment of revenue and county levy of Clay county for the year 1875;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the Committee had performed that duty.

And then the Senate adjourned.

## WEDNESDAY, FEBRUARY 9, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Paducah Water Company.

An act for the benefit of the Louisville Daily Globe and Louisville Daily Commercial.

That they had passed bills, and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of Madison Thomas, committee of Harry P. Thomas, of Lewis county.

An act for the benefit of F. M. Hunt, of Laurel county.

An act for the benefit of Farish Arnett, late sheriff of Magoffin county.

An act to amend an act, entitled "An act to incorporate the Henderson Building and Loan Association," approved April 24, 1873.

An act to amend the charter of the Louisville Turnpike Company.

An act to amend an act amending the turnpike law of Henry county, approved March 28th, 1872.

An act to prevent the erection of traps and dams in Rockcastle river.

Resolution directing Public Printer to print the report of James K. Patterson, commissioner to International Congress of Geographical Sciences.

That they had passed bills of the following titles, viz :

1. An act to cause the surplus of the Sinking Fund to be transferred to the Revenue Proper.

2. An act to prevent stock from running at large in Boone county.

3. An act to incorporate the Farmers' Deposit Bank of Cynthiana.

4. An act to amend the charter of the city of Cynthiana.

5. An act for the benefit of the assessor and clerk of Gallatin county.

6. An act to regulate the sale of spirituous, vinous, or malt liquors in the town of Corydon, Henderson county, and town of Princeton, Caldwell county.

7. An act to incorporate C. S. Hoffman Lodge, No. 252, Free and Accepted Masons.

8. An act for the benefit of Jane A. Phillips, of Jefferson county.

9. An act for the benefit of the Caldwell Female Institute, of Danville, Kentucky.

10. An act defining the duty of the sheriff and other officers executing an original process in Kenton county.

11. An act to amend section 10, article 2, chapter 27, General Statutes.

12. An act to incorporate the Baptist Centennial Theological College, of Knox county.

13. An act to amend the charter of the city of Covington.

14. An act to legalize certain orders and proceedings of the Larue county court.

15. An act to incorporate Mount Taber Church and burial grounds, in Lewis county.

16. An act for the benefit of Hart county.

17. An act to incorporate the Agricultural Bank of Paris, Kentucky.

18. An act to incorporate Farmers and Traders' Bank of Lexington, Kentucky.

19. An act to provide and maintain public schools in Cloverport, Breckinridge county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Sinking Fund; the 2d to the Committee on Agriculture and Manufactures; the 3d, 17th, and 18th to the Committee on Banks and Insurance; the 4th, 10th, 13th, and 16th to the Committee on the Judiciary; the 5th and 8th to the Committee on Finance; the 6th, 7th, 12th, and 15th to the Committee on Religion and Morals; the 9th and 19th to the Committee on Education; the 11th to the Committee on General Statutes and Codes of Practice, and the 14th to the Committee on Courts of Justice.

The following petitions and remonstrance were presented, viz:

By Mr. Harding—

1. Petition of citizens of Berryville, Harrison county, asking for the passage of a law to prohibit the sale of spirituous liquors by retail in said town.

By Mr. Ewing—

2. Petition of citizens of Sharpsburg precinct, asking for the passage of a law to prevent stock from running at large in certain portions of Bath county.

By same—

3. Petition of numerous citizens of Bath, Magoffin, Morgan, and Rowan counties, praying for amendment to an act, entitled "An act to incorporate the Licking River Lumber and Mining Company."

By Mr. Gardner—

4. Remonstrance of numerous citizens of Menifee, Magoffin, Morgan, Elliott, Rowan, Pendleton, Fayette, Bourbon, and Kenton counties, against the amendments proposed to an act, entitled "An act to incorporate the Licking River Lumber and Mining Company."

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals; the 2d to the Committee on Propositions and Grievances, and the 3d and 4th to the Committee on the Judiciary.

A message in writing was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz:

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, February 9th, 1876. }

*Gentlemen of the Senate:*

I nominate for your advice and consent R. C. Chenault, M. D., of Madison county, Kentucky, for appointment as Medical Superintendent of the First Kentucky Lunatic Asylum, to fill a vacancy occasioned by the death of George S. Bryant, M. D., as prescribed by law.

Also, W. H. Rogers, M. D., of Lexington, Fayette county, Kentucky, for appointment as First Assistant Physician of the First Kentucky Lunatic Asylum, to fill vacancy occasioned by the resignation of W. M. Layton, M. D., as prescribed by law.

Also, Edward H. Jones, M. D., of Paris, Bourbon county, Kentucky, Second Assistant Physician of the First Kentucky Lunatic Asylum, to fill vacancy occasioned by the promotion of W. H. Rogers, M. D., as prescribed by law.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations. The Senate, according to order, took up for consideration an engrossed bill, entitled

An act to amend chapter 7, General Statutes, title "Bastardy."



The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Said bill reads as follows, viz :

[*For bill, see Senate Journal January 15th, 1876.*]

Mr. Read then moved to amend said bill by inserting the following as the 4th section, and making the 4th section the 5th section, and the 5th section the 6th section, viz :

*Provided*, That if the bond is forfeited, that the amount collected off of the bondsmen shall be ordered by the court before whom the case is pending to be applied to the support or maintenance of the bastard child.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	Duncan Harding,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	W. L. Vories—29.
Joseph Gardner,	R. B. Lovel,	

Those who voted in the negative, were—

P. F. Edwards,	B. W. S. Huffaker,	George Wright—5.
George B. Hodge,	G. W. Swoope,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Tyler moved the following joint resolution, viz :

WHEREAS, The Auditor of Public Accounts, D. Howard Smith, drew his warrants, No. 6464, in favor of Lucius P. Little, for \$300, on the 11th day of November, 1873; No. 6223, in favor of Henry Stansberry, for \$1,000, on the 16th day of November, 1874; No. 6968, in favor of Breckinridge & Buckner, for \$500, on the 18th day of December, 1874; No. 2365, in favor of Alexander & Dickerson, for \$2,000, on the 1st day of June, 1875; No. 3635, in favor of J. H. Dorman, for \$400, on the 6th day of July, 1875, and No. 3762, in favor of M. C. Johnson, for \$1,188 60, on the

12th day of July, 1875; No. 65, in favor of E. I. Bullock, for \$250, on the 24th day of December, 1873—all of which were illegal and without authority of law, having been issued to attorneys for services rendered in sundry cases in which the State was a party or had some pretended interest pending either in the Franklin Circuit Court, Court of Appeals of Kentucky, or the United States District Court for Kentucky, when the law requires that the Attorney General alone should represent the State in said cases; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Attorney General be, and he is hereby, directed and required to institute proper proceedings against each of said attorneys for the recovery of the amounts thus illegally paid to them; and in the event he shall fail to collect any of said sums from the parties to whom they have been paid, by reason of their insolvency or otherwise, then to institute the proper proceedings therefor against the Auditor, D. Howard Smith, and his sureties on his bond.

Which, under the rule, lies one day on the table.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls of the counties of Washington, Ballard, Madison, Bracken, Pendleton, and Grant.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Said amendment reads as follows, viz :

“Strike out the words ‘Washington, Ballard, Madison, Bracken, Pendleton, and Grant,’ and insert in lieu thereof the words ‘this Commonwealth,’ and amend the title of said bill so as to read,

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls of this Commonwealth.

Mr. J. W. Hays moved to reconsider the vote by which the Senate had concurred in the adoption of said amendment.

Mr. Briggs moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act incorporating the Home Savings Bank, of Winchester, Kentucky.

Which was granted, and the bill delivered to the messenger.

The Senate, according to order, took up for consideration

A bill to facilitate and insure the collection of the revenue and county levy in the various counties in this Commonwealth.

Sundry amendments were proposed to said bill.

Pending the consideration of which, Mr. Finley moved to lay said bill and pending amendments on the table.

Which motion was adopted.

So said bill was rejected.

The Senate, according to order, took up for consideration

A bill to amend chapter 18, General Statutes, entitled "Common Schools."

Said bill was then amended.

*Ordered*, That said bill be recommitted to the Committee on Education, and that Messrs. Wright and Lindsay be added to said committee for the purpose of considering said bill.

The Senate took up for consideration

A bill to protect game and small birds, and to punish trespass.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be unlawful for any person within this State to catch, kill, or pursue with such intent, any buck, doe, or fawn, or have the same in possession after it has been caught or killed, between the first day of March and the first day of September of each year, under a penalty of twenty dollars for each offense.

§ 2. That no person shall catch, kill, or pursue with such intent, or have the same in possession after it has been caught or killed, any black, gray, or fox squirrel between the first day of February and the fifteenth day of June in each year, under a penalty of three dollars for each offense.

§ 3. That no person shall catch, kill, or pursue with such intent, or have the same in possession after it has been caught or killed, any hare or rabbit, between the first day of February and the twentieth day of October in each year, under a penalty of three dollars for each offense.

§ 4. That no person shall catch or kill, or pursue with such intent, or have the same in possession after it has been killed or caught, any wild goose, wood duck, teal, or other wild duck, between the first day of May and the first day of September in each year, under a penalty of three dollars for each offense.

§ 5. That no person shall catch, kill, or pursue with such intent, or have the same in possession after it has been caught or killed, any wild turkey, between the first day of February and the first day of September in each year, under a penalty of five dollars for each offense.

§ 6. That no person shall catch, kill, or pursue with such intent, or have the same in possession after it has been caught or killed, any woodcock, between the first day of February and the fifteenth day of August in each year, under a penalty of three dollars for each offense.

§ 7. That no person shall catch, kill, or pursue with such intent, or have the same in possession after it has been caught or killed, any quail, partridge, or pheasant, between the first day of February and the twentieth



day of October in each year, under a penalty of three dollars for each offense.

§ 8. That no person shall catch, kill, or pursue with such intent, or have in possession after the same has been caught or killed, any dove, between the first day of February and the first day of August in each year, under a penalty of three dollars for each offense.

§ 9. That no person shall at any time catch, kill, or pursue with such intent, or have in possession after the same has been caught or killed, any night-hawk, whippoorwill, sparrow, thrush, lark, finch, marten, swallow, woodpecker, flicker, robin, oriole, red-bird, cedar bird, tanager, cat-bird, blue bird, or other song or insectivorous bird, except where the same shall be destructive to the fruit or grain crops, under a penalty of three dollars for each offense.

§ 10. That no person shall rob or destroy the nests or eggs of any wild bird whatsoever, save only those of a predatory nature and destructive of game or insectivorous birds, under a penalty of five dollars for each offense.

§ 11. That the possession of any of the animals or birds intended to be protected by this act, within the periods for which their killing or pursuit is hereby prohibited, shall be *prima facie* evidence that the said animal or bird was unlawfully caught or killed, and the possession thereof unlawful.

§ 12. That any person exposing for sale any of the animals or birds intended to be protected by this act, within the periods for which the taking or killing thereof is hereby prohibited, shall, for each animal or bird so exposed for sale, be subject to the same penalty as herein provided for the unlawful killing or taking of such animal or bird.

§ 13. That the unlawful killing, catching, or possession of each and every one of the animals or birds intended to be protected by this act, shall constitute a separate and distinct offense, and shall be punishable accordingly; and two or more offenses may be joined in the same warrant or indictment therefor; and the person so offending, if convicted, shall be fined for each offense.

§ 14. That no person shall at any time kill or take any of the animals or birds intended to be protected by this act, by means of any trap, snare, net, or other like device, under a penalty of three dollars for each animal or bird so trapped, snared, or taken.

§ 15. Any person who shall knowingly trespass upon the lands of another for the purpose of shooting, hunting, or fishing thereon, after public notice by the owner or occupant of such lands, as provided for in the succeeding section, shall be liable to such owner or occupant in exemplary damages to an amount not exceeding \$25, besides all actual damage said owner or occupant may suffer by reason of such trespass; and presence on the lands of another with dogs or implements of hunting or fishing, shall be presumptive evidence of the purpose of the trespass.

§ 16. The notice referred to in the preceding section shall be given by erecting and maintaining sign-boards at least one foot square in at least two conspicuous places on each side of the premises intended to be protected, such sign-boards to have thereon the word "Posted" and the name of the owner or occupant of the lands; and any person who shall tear down, or otherwise destroy or deface any such sign-board, shall be punishable by fine of not less than five nor more than twenty five dollars.

§ 17. All actions for the recovery of the penalties prescribed in this act shall be in the name of the Commonwealth, and all county judges, justices of the peace, and police or other magistrates, are hereby invested with jurisdiction to try and dispose of all and any of the offenses against the



provisions of this act occurring within their respective counties: *Provided*, That wherever a number of offenses shall be charged in the same warrant, the penalties for which, as prescribed by this act, shall exceed in amount the jurisdiction of the county judge, justice, or magistrate, it shall be the duty of such county judge, justice, or magistrate to hold the person charged with such offenses to bail unto the next term of the circuit court to be held in said county.

§ 18. That any county judge, justice of the peace, or police or other magistrate, upon receiving sufficient proof, by affidavit, that any of the provisions of this act have been violated by any person being temporarily within his jurisdiction, but not residing therein permanently, or by any person whose name or residence is unknown, is hereby authorized and required to issue his warrant for the arrest of such person, and cause him to be held to bail to answer the charge against him; and any such justice or magistrate, upon receiving proof or having reasonable grounds to believe that any game mentioned in this act is concealed during any of the periods for which the possession hereof is prohibited, shall issue his search warrant, and cause search to be made in any house, market, boat, box, package, car, or other place, and shall cause the arrest for trial of any person in whose possession such game is found.

§ 19. That it shall, and is hereby, made the duty of the several mayors of the several cities and towns within this Commonwealth, to require their respective police or constabulary force, and it is hereby made their duty, as it is hereby made the duty of all market masters or clerks of markets of any cities or towns, to diligently search out and arrest, as for a misdemeanor, all persons violating the provisions of this act by having any game mentioned herein unlawfully in their possession, or offering the same for sale during any of the periods during which the killing of such game is prohibited; and any officer whose duty it shall be to enforce the provisions of this act, who shall fail or refuse, upon sufficient information, to discharge the duties imposed upon him by this act, shall be held guilty of misfeasance in office, and shall, on conviction therefor in the circuit court having jurisdiction, be punished by fine not less than twenty nor more than fifty dollars for each offense.

§ 20. Any person convicted of a violation of the provisions of this act, failing to pay the penalty or penalties prescribed herein, together with the costs of prosecution, shall be imprisoned at hard labor in the county jail for a period of not less than one day for each two of the penalties imposed.

§ 21. This act shall take effect twenty days after its passage.

Mr. Swoope moved to amend said bill by adding the following as an additional section, viz :

"The provisions of sections 1 to 14, inclusive, shall not apply to minors under the age of 16 years."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Tyler then moved to lay said bill upon the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Edwards and Read, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,      H. A. Tyler,      George Wright—4.  
H. F. Finley,

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	Robert Simmons,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Joseph Gardner,	D. H. Lindsay,	W. L. Vories,
James B. Garnett,	R. B. Lovel,	C. J. Walton—33.

Mr. Barker then moved to amend said bill by adding the following as an additional section, viz :

*“Provided, That the provisions of this bill shall only apply to the counties in the 4th, 18th, 22d, 23d, 25th, 27th, 31st, 32d, 34th, and 36th Senatorial Districts.”*

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Lyon then moved to amend said bill by striking out the 2d and 3d sections thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Cunningham then moved to amend said bill by striking out the word “September,” and inserting in lieu thereof the word “August,” in the third line of the 1st section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Cunningham moved to amend said bill by inserting the word “inclosed” after the word “the,” and before the word “lands,” in the first line of the 15th section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Marble then moved to amend said bill by striking out the words “at hard labor,” in the third line of the 10th section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered,* That said bill be engrossed and read a third time.

The rule of the Senate and constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken, on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—32.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

W. A. Cunningham,	R. G. Hays,	W. L. Vories—5.
James W. Hays,	Sumner Marble,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Barker then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Brown, from the Committee on Appropriations, to whom was recommitted a bill, which originated in the Senate, entitled

A bill to provide for continuing the Geological and other surveys of the State of Kentucky,

Reported the same with amendments.

*Ordered*, That the further consideration of said bill and amendments be postponed till Monday next, the 14th inst., at 11 o'clock, A. M.

Leave was given to bring in the following bills, viz :

On motion of Mr. Walton—

1. A bill for the benefit of school district No. 7 of common schools for colored children, in Hart county.

On motion of Mr. R. G. Hays—

2. A bill providing for a registration law in the city of Louisville.

On motion of Mr. Leslie—

3. A bill to legalize the acts of R. R. H. Gillock, late clerk of Barren county.

On motion of Mr. Read—

4. A bill to amend article 12, chapter 92, of the General Statutes.

On motion of Mr. Lindsay—

5. A bill to authorize the sale of the ferry property and franchises in Boone county, opposite Lawrenceburg, Indiana.

On motion of Mr. Blackburn—

6. A bill to amend the charter of the Midway and Elkhorn, and Elkhorn and Scott County Turnpike Company.

On motion of Mr. Tyler—

7. A bill to amend section 8 of article 13 of chapter 38, General Statutes.

On motion of Mr. Brown—

8. A bill to amend an act, entitled "An act to create and regulate the office of county treasurer for Franklin county," approved March 9, 1868.

On motion of same—

9. A bill for the benefit of W. L. Jett, late common school commissioner of Franklin county.

On motion of Mr. Culbertson—

10. A bill to tax public exhibitions in the town of Ashland for the benefit of the common schools of the town.

On motion of Mr. Garnett—

11. A bill authorizing the court of claims of Trigg county to levy an additional tax of 15 cents on the \$100 worth of property to pay off the indebtedness of said county.

On motion of Mr. Ewing—

12. A bill to amend an act chartering White Oak Turnpike Road Company, in Bath county.

On motion of Mr. Swoope—

13. A bill to better preserve indictments found and presented in the various circuit and criminal courts of this Commonwealth.

On motion of Mr. Barbour—

14. A bill to regulate elections in the city of Louisville and county of Jefferson.

*Ordered*, That the Committee on Education prepare and bring in the 1st and 9th; the Committee on Propositions and Grievances the 2d; the Committee on Courts of Justice the 3d, 5th, and 8th; the Committee on the Judiciary the 4th, 11th, and 14th; the Committee on Internal Improvement the 6th and 12th; the Committee on General Statutes and Codes of Practice the 7th and 13th, and the Committee on Finance the 10th.



Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act to repeal an act, entitled "An act to regulate sales made under decrees of the Barren circuit court," approved January 13, 1872;

An act for the benefit of J. M. Lester, of Caldwell county;

Resolution in reference to the surviving soldiers and widows of the Mexican war;

Resolution directing Librarian to have air-grates put under Quarter-Master and Adjutant General's offices;

And bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to authorize the clerk of the Lincoln county court to appoint his wife deputy clerk;

An act for the benefit of Hardin county;

An act for the benefit of school district No. 39, in Bath county;

An act to change the county line between Owen and Grant counties;

An act to repeal the charter of the town of Geigersville, in the counties of Boyd and Carter;

An act to amend the charter of the Louisville and Nashville Railroad Company, and to increase the directors thereof to eleven;

Resolution directing the Auditor to report the amount of fees received by him in 1875;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

## THURSDAY, FEBRUARY 10, 1876.

A message was received from the House of Representatives, announcing that they had passed a bill and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of school district No. 21, in Kenton county.

Resolution directing the appointment of a committee to inquire into the propriety of employing convict labor on works of internal improvement.

That they had passed bills of the following titles, viz :

1. An act to increase the jurisdiction of justices of the peace.

2. An act to fix the tax on real and personal estate at forty cents on the one hundred dollars in value thereof.

3. An act to amend an act authorizing the trustees to sell and appropriate the seminary lands of Laurel county, approved March 10, 1856.

4. An act for the benefit of school district No. 35, of Hickman county.

5. An act to incorporate the Mount Sterling Female College.

6. An act for the benefit of sundry common school districts of Pulaski county.

7. An act to repeal an act, entitled "An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties."

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Courts of Justice; the 2d to the Committee on Finance, and the 3d, 4th, 5th, 6th, and 7th to the Committee on Education.

The Speaker announced that he had appointed Messrs. Blackburn and Cunningham as the committee on the part of the Senate, under a joint resolution, which originated in the Senate, and had passed the two Houses, entitled

Resolution directing the appointment of a committee to inquire into the propriety of employing convict labor on works of internal improvement.

The Senate, according to order, took up for consideration

A bill to amend the charter of the Kentucky Central Railroad Company,

Together with the amendment proposed by the Committee on Railroads as a substitute for said bill.

Said amendment reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter in all elections by the Kentucky Central Railroad Company, or by the stockholders thereof, the stockholders shall each be entitled to one vote for every share of stock held by such stockholder thirty days before the election ; and an act to amend the charter of the Covington and Lexington Railroad Company, approved November 24th, 1851, be, and the same is hereby, repealed, in so far as it applies to the Kentucky Central Railroad Company.

§ 2. That the Kentucky Central Railroad Company shall be authorized and empowered, by the vote of the holders of three-fourths of the capital stock thereof, at any regular or called meeting of the stockholders of said company, to purchase any railroad or railroads chartered by the General Assembly of the Commonwealth of Kentucky connecting with said Kentucky Central Railroad, or to subscribe to or for the capital stock, in whole or in part, of said railroad or railroads. In the event of a purchase of, or a subscription to or for, stock in any such railroad or railroads by the Kentucky Central Railroad Company as herein authorized, the said Kentucky Central Railroad Company shall be, and is hereby, authorized to pay for the same in money, stock, or bonds ; and in order to make provision therefor, the said company shall be, and is hereby, authorized and empowered, with the consent of the holders of three-fourths of the capital stock thereof, to increase its capital stock, or to issue bonds in amounts sufficient to pay for the same, payable at any period not exceeding thirty years after the date thereof. Said bonds may be made payable in or out of Kentucky, and shall bear an annual interest of not more than seven per cent. per annum, payable semi-annually, and may be sold for an amount less than par if deemed advisable by the company. To secure the prompt payment of said bonds, the Kentucky Central Railroad Company is hereby authorized and empowered to give and execute a mortgage lien upon the property franchises, rights and credits of said corporation, and pledge the same as a security for said loan or bonds of said corporation issued for the purposes aforesaid ; and all bonds made or issued by said corporation for the purposes aforesaid shall be binding and obligatory.

§ 3. That any and all called meetings of the stockholders of the company, called or held for the purposes contemplated by the second section hereof, shall be advertised in one of the newspapers published in Cincinnati, Ohio, and also in at least three of the newspapers published in Covington, Cynthiana, Paris, and Lexington, Kentucky, by weekly insertions for the four weeks next preceding that in which such called meeting is held.

§ 4. That said Kentucky Central Railroad Company may subscribe, or otherwise aid in other modes deemed advisable, in building turnpikes or

bridges abutting upon said railroad or adjacent thereto, which reasonably may be deemed feeders to said road; and all stock issued or to be issued by the Kentucky Central Railroad Company, under and by virtue of a written compromise and final adjustment of a suit in the Kenton Circuit Court, of the Covington and Lexington Railroad Company against Winslow and others, entered into by the plaintiffs in said suit and Wm. Ernst and others, on the 6th day of May, 1875, be, and the same is hereby, legalized.

§ 5. That this act take effect from its passage.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Cunningham moved to amend said amendment by striking out the first section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Barker and Hodge, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	E. W. Turner,
James Blackburn,	James B. Garnett,	H. A. Tyler,
W. A. Cunningham,	Duncan Harding,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	George Wright—12.

Those who voted in the negative, were

Robert A. Briggs,	James W. Hays,	P. A. Lyon,
Scott Brown,	R. G. Hays,	Sumner Marble,
W. W. Culbertson,	Geo. B. Hodge,	Joseph B. Read,
P. F. Edwards,	B. W. S. Huffaker,	Robert Simmons,
H. F. Finley,	D. H. Lindsay,	J. H. Stanley—17.
Wm. Cassius Goodloe,	R. B. Lovel,	

Mr. Cunningham then moved to amend said amendment by adding to the first section thereof the following, viz :

“And section 3 of an act, entitled ‘An act to amend the charter of the Covington and Lexington Railroad Company,’ approved January 7, 1852, be, and the same is likewise, repealed, in so far as it applies to the Kentucky Central Railroad Company.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Cunningham moved to amend said amendment by adding the following to the fourth section thereof, viz :

“*Provided*, That nothing in this act shall be construed to legalize said written compromise or final adjustment.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.



Mr. Blackburn then moved to amend the fourth section of said amendment, as amended, by adding thereto the following, viz :

*“ Provided further, That the laborers upon said road, and persons injured in person or property, shall have a lien on the rolling-stock and franchises of said road prior to any mortgage.”*

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, as amended, and it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Blackburn, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	C. N. Pendleton,
Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
Scott Brown,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
P. F. Edwards,	John Hyden,	E. W. Turner,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—27.

Those who voted in the negative, were—

James Blackburn,	Duncan Harding,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories—9.

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill to incorporate the Kentucky Wool, Land, and Loan Association.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Milton Dudley and Orson P. Eldred be, and they are hereby, formed into a body-corporate, under the name and style of the “Kentucky Wool, Land, and Loan Association,” and under that name and style shall have corporate existence for the period of fifty years.

§ 2. The object of said Association shall be to grow wool; buy, sell, and improve lands in this State, and do a banking business. And, to these

ends, the said Association shall have a common seal, with the privilege of changing the same at pleasure; may contract and be contracted with, sue and be sued, plead and be impleaded, and have all the rights and privileges of a natural person in all courts and places.

§ 3. The capital stock of said Association shall be two hundred thousand dollars, with the privilege, by and with the consent of a majority in value of the stockholders, of increasing the same to one million dollars. But said Association shall not begin its business under this charter until said capital stock of two hundred thousand dollars is paid up; and said capital stock shall be divided into shares of one hundred dollars each, par value.

§ 4. That when said capital stock has been subscribed and is ready to be paid up, either one of the persons mentioned in section 1 of this act may give notice in writing to the other subscribers of stock that said capital stock has been subscribed and is ready to be paid up, and appoint a place and time for the organization of said Association.

§ 5. The principal place of business of said Association shall be at San Jose, Caldwell county, Kentucky; and said Association shall be controlled and governed by a board of directors, to consist of three persons, to be chosen as hereinafter prescribed by the stockholders.

§ 6. The officers of said Association shall consist of a president, who shall be one of the three directors, and shall be elected by the board of directors, and a secretary, who may or not be a director, and who shall also be chosen by the board of directors. The duties of said secretary may be prescribed by the board of directors.

§ 7. The board of directors may frame and adopt by-laws for the regulation of the business of the Association, which they may revise, alter, and amend at their pleasure.

§ 8. The board of directors may acquire, by donation or purchase, the title to real estate in this State, and also may buy, hold, enjoy, and sell such personal estate as is necessary to carry out the purposes of this Association.

§ 9. This Association shall also have the power to conduct a banking business at its principal place of business, and to this end the board of directors may receive deposits of gold and silver, bank notes, and all other notes which may circulate as money, and repay the same in such manner and at such times as may be agreed upon with the depositors, by special or general contract; may loan money; may buy and sell bills of exchange, promissory notes, stocks, bonds, gold and silver coin, and other evidences of debt; may take any lawful securities for the payment of loans and other dues; may dispose of stocks, bonds, etc., as may be agreed upon with the depositors thereof, and pass a valid title thereto; and all promissory notes made negotiable and payable at the banking office of said Association, and inland bills of exchange which may be discounted and owned by said Association, shall be, and are hereby, put upon the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against the drawers, acceptors, and indorsers.

§ 10. The said Association may receive deposits from minors and married women, and the receipts and acquittances of said minors and married women shall be good and valid.

§ 11. When this Association begins its business under this charter, the board of directors shall designate what amount of its capital stock is to be used in its banking business, and the president of said board shall forthwith so inform the Auditor of Public Accounts of Kentucky, and it shall be his duty, on the first Monday in July of each year, to pay into

the Treasury of Kentucky fifty cents on each one hundred dollars of stock of said Association used in its banking business, which shall be in lieu and in full of all other taxation to the State.

§ 12. The private property of the stockholders of said Association shall not be liable for the debts of the Association.

§ 13. At the first meeting of the stockholders of said Association, held in accordance with the requirements of section 4 of this act, any one of the persons named in section 1 may preside and superintend the election of the board of directors mentioned in section 5; and in voting for members of said board each stockholder shall have one vote for each one hundred dollars of stock he has paid up. The next annual election of said board of directors shall take place on the first Monday of July, 1877, and thereafter on the first Monday in July of each year.

§ 14. Immediately after the election of the board of directors of each year, the newly elected board shall hold a meeting and choose one of their number president, who shall be styled "President of Kentucky Wool, Land, and Loan Association;" and said board shall, at the same meeting, or as soon thereafter as practicable, choose the secretary of said Association, who may be removed at the pleasure of said board.

§ 15. The board of directors shall have the power to establish a branch office at Louisville, Ky., for the transaction of the business of the Association, if they see proper so to do.

§ 16. This act shall take effect from its passage, but shall be void unless an organization of the Association herein chartered is effected on or before January 1st, 1877. This act may be repealed or amended at the pleasure of the Legislature of Kentucky.

Mr. J. W. Hays moved to amend said bill by striking out the word "minors" wherever it occurs therein.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. R. G. Hays moved to amend said bill as follows, viz: .

"*Provided*, That in the event the said Association should see proper to establish a branch in the city of Louisville, the property owned by the corporation used for an office or banking-house shall be taxed for municipal and State purposes as other property may be taxed by law."

And the question being taken on the adoption of said amendment, and it was decided in the negative.

Mr. Cunningham moved to amend said bill by adding to the 11th section thereof the following, viz: .

"To the extent and on account of said banking stock."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,



The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
Scott Brown,	R. B. Lovel,	G. W. Swoope,
W. W. Culbertson,	P. A. Lyon,	E. W. Turner,
Andrew J. Ewing,	Sumner Marble,	Thos. W. Varnon,
Joseph Gardner,	Joseph B. Read,	C. J. Walton—19.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	S. H. Jenkins,
James Blackburn,	James W. Hays,	J. R. Leslie,
Robert A. Briggs,	George B. Hodge,	D. H. Lindsay,
W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler,
H. F. Finley,	John Hyden,	George Wright—15.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Brown, from the Committee on Railroads, to whom was recommended

A bill to incorporate the Southwestern Railroad Company.

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a corporation is hereby created, to be known as "The Southwestern Railroad Company," by which name it may contract and be contracted with, sue and be sued, have and use a common seal, alter and renew the same at pleasure; may purchase, hold, sell, lease, convey or otherwise dispose of or acquire, such real estate, in fee-simple or otherwise, not exceeding two hundred acres, and all personal property necessary, convenient, or suitable for the purposes of the company; shall have perpetual succession, and all other rights, immunities, and privileges that other railroad companies have, use, and enjoy.

§ 2. The capital stock of said company shall not exceed five hundred thousand dollars, in shares of one hundred each, which stock may be subscribed for and taken by any person, individual, corporation, or company; and as soon as four hundred shares of stock are taken, the company may effect an organization by the election of five directors, who shall elect out of their number as president, as hereinafter indicated.

§ 3. Said corporation is authorized to build, construct, and operate a railroad from a point, to be selected by the president and directors, on the Cincinnati Southern Railroad, in Mercer county, to connect with the Louisville and Nashville Railroad, or the Cumberland and Ohio Railroad, at some point as near Lebanon as they deem proper; the route of said road, however, to pass through and have a depot in the corporate limits of the town of Harrodsburg—the company to select the most feasible route. They may build the road upon any gauge they desire, either in



whole or in part, and may double the track, or use both a broad and narrow gauge, in whole or in part. They may build and operate the whole of said line or any part thereof.

§ 4. That no lateral road shall be built between said Cincinnati Southern and Cumberland and Ohio Railroads, within ten miles of this road, provided this road be completed and put in operation within five years, and as long as said road is kept in operation; but if only a portion of this road is built within the time aforesaid, then any company, desiring to fill said link, may take so much as is built at cost price, and all the franchise herein granted shall pass to the company so completing.

§ 5. That Z. P. McBrayer, P. B. Thompson, jr., D. J. Curry, J. L. Neal, C. A. Hardin, W. Cummins, J. L. Powell, Augustus Jones, W. H. Robinson, J. C. Davis, and S. P. Debaun, or such of them as may act, are hereby appointed commissioners to open books and receive subscriptions to said company, which books may be opened at any time or place any one of them may choose, without any notice; and any one of said commissioners may apply to, and receive a subscription from, any company, corporation, or person, town, city, district, or county authorized to subscribe, upon any terms or conditions not repugnant to law as such subscriber chooses to impose—the final acceptance of said subscription, upon the terms or conditions imposed, to be left, however, subject to the ratification of the president and directors, and to be binding upon the subscriber after acceptance or ratification by said president and directors, at any time within one year after the subscription. And in case any of the commissioners aforesaid do not act, those who will may fill the vacancy or vacancies by election; and any and all subscriptions made before the passage of this act, looking to its passage and to the building of this road, are now approved and confirmed unto said company, and they may be enforced by it, the same as if made since the passage, or may be transferred to it and accepted by it.

§ 6. That all persons, companies, and corporations, who subscribe for stock in said company, and who reside at the time of their subscription in any town, city, county, precinct, or other territorial district which may thereafter subscribe and tax itself, or which has theretofore subscribed and taxed itself, by virtue of the provisions of this charter, in aid of said road, shall, upon all tax assessed against such subscriber, be credited by the amount he has subscribed, to the extent he has paid his individual subscription, which shall be done by the president drawing an order to the tax-collector, directing a delivery of the tax receipt, for which orders so drawn said collector shall receive credit, but not commission, when taken in by him from such subscriber, but from no one else: *Provided, however,* That said orders shall not be received in payment of any over tax except the person actually making the subscription.

§ 7. That any town, city, county, voting precinct, or other territorial district to be especially laid off by an order of the county court for that purpose, may subscribe for stock in said corporation, and upon a request of any of the commissioners aforesaid before organization, or of the corporation, by its president or officers, afterwards, the county court of any county may submit to the qualified voters of such county, precinct, or territorial district the question: "Whether such county, precinct, or territorial district will subscribe for stock in said corporation to the amount fixed in the order directing the election to be held;" and said court, if it shall make the order, shall direct the sheriff of the county to open polls and hold an election for this purpose, which election said sheriff shall hold; and if a majority of all the legal voters in such county, precinct, or

territorial district shall be in favor of such subscription, the county court shall subscribe for said stock. A similar application may be made to the trustees of any city or town who are invested with similar authority, and shall direct the election to be held, and proceed as above indicated. The city or town marshal shall hold the election. The parties making the application shall pay the costs of the election, and the order submitting the question shall fix the amount of subscription as requested. The vote shall be held, returned, and counted as in similar local elections.

§ 8. Any subscription made as aforesaid shall be paid either by direct tax within five years or by bonds; the corporation, town, city, county, or precinct or territorial district to make an election by their fiscal agents, the county court to act for the county or any fraction thereof, and the trustees for the town or city. And all persons paying tax shall, upon the production of receipts to the amount of a share, or one half or one quarter of a share, be entitled to stock to the amount thereof in the company.

§ 9. The company may acquire, by deed or lease, any coal lands or mines, and may deal in coal at their depots, by purchase elsewhere, and sale and delivery at the same and surrounding country.

§ 10. That said company, when completed from the Cincinnati Southern to Harrodsburg, and no further, may, as common carriers, charge such a rate for the transportation of freights and passengers as the company may deem just, provided said rate shall not exceed an amount that will produce, after the payment of all expenses, a net dividend to the stockholders of ten per cent.; and when the rate is fixed, if it produces a greater amount than above allowed, it shall be lowered.

§ 11. The following sections of an act, entitled "An act to incorporate the Cumberland and Ohio Railroad Company," approved February 24th, 1869, are now adopted and made part hereof, so far as not inconsistent with, or repugnant to, the provisions of this charter, viz: Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, and 17.

§ 12. The following sections of an act, entitled "An act to authorize the trustees of the Cincinnati Southern Railway to acquire the right of way and to extend a line of railway through certain counties of this Commonwealth," approved February 13th, 1872, are now adopted and made part hereof, so far as not inconsistent with, or repugnant to, this charter, viz: Sections 3, 4, 5, 6, 7, 8, and 9.

§ 13. That the employees and operators of the road, and persons receiving injury to themselves or property by said road, are hereby given a lien on the rolling-stock and other personal property and assets of said company for the payment of their wages or the amount of any contracts entered into by such employees or operators with said company.

§ 14. The Legislature hereby reserves the right to alter, amend, or repeal this act.

§ 15. This act shall take effect from and after its passage.

Mr. Blackburn moved to amend said bill as follows, viz:

"Strike out the 7th and 8th sections thereof."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lovel and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	George Wright—24.
H. F. Finley,	D. H. Lindsay,	

Those who voted in the negative, were—

Robert A. Briggs,	P. A. Lyon,	E. W. Turner,
Scott Brown,	Sumner Marble,	Thos. W. Varnon,
Wm. Cassius Goodloe,	Joseph B. Read,	C. J. Walton—11.
R. G. Hays,	Robert Simmons,	

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Southern Baptist Theological Seminary.

Mr. Swoope made the point of order that the consideration of said bill was prohibited by rule 81 of the Senate.

Which point the Speaker decided as well taken.

Mr. Lindsay moved to suspend the operation of rule 81 in order to allow said bill to be considered by the Senate.

Which motion was adopted.

Mr. Briggs then moved to reconsider the vote by which the Senate had suspended the operation of rule 81.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Briggs and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	J. R. Leslie,
James Blackburn,	Duncan Harding,	R. B. Lovel,
Robert A. Briggs,	B. W. S. Huffaker,	C. N. Pendleton—10.
H. F. Finley,		



Those who voted in the negative, were

Pollock Barbour,	James W. Hays,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
Scott Brown,	Geo. B. Hodge,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Joseph B. Read,	George Wright—24.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That George Hunt, Squire L. Helm, Hiram Woods, jr., Jeremiah B. Zetu, J. L. M. Curry, Wm. F. Broadus, Thomas H. Pritchard, W. M. Wingate, M. E. Heck, James C. Furman, Thos. J. Earle, J. O. B. Dargan, Jos. A. Lawton, Julius C. Smith, James K. Mendenhall, Thomas P. Smith, Thomas P. Lide, Lewis H. Shuck, James L. Reynolds, Joseph E. Brown, Patrick H. Mell, D. A. Vason, Samuel Henderson, D. W. Gwin, J. T. Tichenor, M. W. Phillips, E. D. Miller, T. G. Jones, M. Hillsman, J. B. Wornall, J. T. Williams, and Jno. H. Luther, and their associates and successors in office, trustees of the Southern Baptist Theological Seminary, an institution of learning about to be located at Louisville, Kentucky, shall be, and they are hereby, created a body-politic and corporate, by the name and style of the "Southern Baptist Theological Seminary," and by said name shall have perpetual succession of officers and members according to the by-laws they may establish; and for that purpose the said corporation shall have power to ordain all such by-laws for the regulation of thir succession and government, and for the organization and government of the said institution of learning as they may deem necessary, not inconsistent with the laws of this State or of the United States; to have, use, and keep a common seal, and the same to break and alter at will; to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law or equity in this State or the United States, and to have and enjoy every right, power, and privilege incident to such corporation; and the said corporation is hereby empowered to have, hold, retain, possess, and enjoy all such property as they now have or are entitled to, or which has been given, granted, or devised, or shall hereafter be given, granted, or devised thereto, or in any manner acquired thereby, and the same to sell, alien, or transfer at pleasure; and the same likewise to hold, exempt from any taxes or assessments of whatever kind, whether State, county, or municipal, or otherwise: *Provided*, That the sum so held shall not, at any one time, exceed the value of two millions of dollars; *and provided also*, That the income alone derived from the rents, profits, dividends, and other annual proceeds of the estate, funds, and investments of the said corporation, together with such funds as shall be or have been given specially for annual expenditures, shall be liable for the current expenses, or shall be expended for the annual support and maintenance of the institution thus established; and the principal of the said estate shall be sacredly kept untouched, except for permanent improvements and such changes of investment as the trustees may make from time to time.

§ 2. That this act shall be deemed and taken to be a public act, and have perpetual continuance and authority.



The question was then taken on the adoption of the amendment proposed by the Committee on Religion and Morals, and it was decided in the affirmative.

Said amendment reads as follows, viz :

Amend by adding to section one: *Provided further*, That the trustees of said corporation shall preserve inviolate, and maintain forever, in the management and control of this institution, the fundamental laws established by the Educational Convention which met at Greenville, South Carolina, on the last day of April, in the year of our Lord one thousand eight hundred and fifty-eight, by which the Southern Baptist Theological Seminary, an institution chartered by the General Assembly of the State of South Carolina on the twenty-first day of December, one thousand eight hundred and fifty-eight, was established; and the corporation created by this act is hereby authorized and empowered to receive all property which may be transferred to it by the corporation created by the General Assembly of the State of South Carolina as aforesaid, and to assume all the trusts associated therewith.

*Ordered*, That said bill be read a third time.

The question was then taken on dispensing with the third reading of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barker and Walton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—31.
James B. Garnett,		

Those who voted in the negative, were—

Thos. J. Barker, James Blackburn, J. R. Leslie—3.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. R. G. Hays—

1. A bill for the benefit of the new gas company, of the city of Louisville.

On motion of Mr. Stanley—

2. A bill to define and punish certain trespasses.

On motion of Mr. Ewing—

3. A bill for the benefit of the sheriff of Rowan county.

On motion of Mr. Simmons—

4. A bill to fix the compensation of executors and administrators.

On motion of Mr. Read—

5. A bill to amend article 3, chapter 14, General Statutes.

On motion of Mr. Varnon—

6. A bill to amend the 22d section of chapter 37 of the General Statutes.

On motion of same—

7. A bill to establish a house of instruction and reform for minor offenders.

On motion of same—

8. A bill for the benefit of Jonathan Russell, of Casey county.

On motion of Mr. Edwards—

9. A bill to amend chapter 83 of the General Statutes, and an act amendatory thereto, approved March 28, 1872.

On motion of same—

10. A bill to provide for the improvement of Green and Nolin rivers.

*Ordered*, That the Committee on the Judiciary prepare and bring in the 1st and 4th; the Committee on Propositions and Grievances the 2d; the Committee on Finance the 3d and 8th; the Committee on Courts of Justice the 5th; the Committee on General Statutes and Codes of Practice the 6th and 9th; the Committee on Charitable Institutions the 7th, and the Committee on Internal Improvement the 10th.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act extending the time for the payment of revenue and county levy of Clay county for the year 1875.

An act to change the county line between Owen and Grant counties.

An act to regulate the call and trial of Commonwealth and civil causes pending in the Hardin circuit court.

An act for the benefit of school district No. 39, in Bath county.

An act to repeal the charter of the town of Geigersville, in the counties of Boyd and Carter.

An act to authorize the clerk of the Lincoln county court to appoint his wife deputy clerk.

An act to amend the charter of the Louisville and Nashville Railroad Company, and to increase the directors thereof to eleven.

An act for the benefit of Hardin county.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend chapter 52 of the General Statutes, entitled " Husband and Wife ;"

An act to incorporate the town of Newville, located in parts of Daviess, McLean, and Ohio counties ;

An act to prohibit the sale of spirituous or malt liquors in Sardis precinct, Mason county ;

An act to create a special road law for the county of Pendleton ;

An act to amend an act, entitled "An act to incorporate the Bardstown Baptist Female College, at Bardstown ;"

An act to amend an act, entitled "An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport." (Session Acts 1850-'51, vol. 2, page 270 ;)

An act to amend the charter of the town of Shelbyville;

An act to enable the Literary Society of St. Louis Bertrand, of Louisville, Ky., to issue mortgage bonds;

An act for the benefit of John E. Abbott, of Hart county;

An act to repeal an act to prevent the sale of spirituous and vinous liquors in Elkton, Todd county, approved December 20, 1870;

And bills and a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls of this Commonwealth;

An act to change district No. 44, in Kenton county ;

An act for the benefit of school district No. 12, in Warren county;

An act for the benefit of Madison Thomas, committee of Harry P. Thomas, of Lewis county;

An act for the benefit of F. M. Hunt, of Laurel county;

An act for the benefit of Farish Arnett, late sheriff of Magoffin county;

An act to amend an act, entitled "An act to incorporate the Henderson Building and Loan Association," approved April 24, 1873;

An act to amend the charter of the Louisville Turnpike Company;

An act to amend an act amending the turnpike law of Henry county, approved March 28th, 1872;

An act to authorize the issual of a patent to Isaac Hibbs, jr., and E. Charlton, for the northeast quarter of section 34, township 2, range 1, west;

An act for the benefit of the trustees of the town of Catlettsburg;

An act to amend the charter of the city of Henderson, and the several acts in relation thereto;

An act to prevent the erection of traps and dams in Rockcastle river;

Resolution directing Public Printer to print the report of James K. Patterson, commissioner to International Congress of Geographical Sciences;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, took up for consideration

A bill to regulate the jurisdiction of the Jefferson circuit court.

Mr. Briggs then moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	J. R. Leslie,
Wm. J. Berry,	R. G. Hays,	R. B. Lovel,
Robert A. Briggs,	George B. Hodge,	Sumner Marble,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
Wm. Cassius Goodloe,	S. H. Jenkins,	W. L. Vories—15.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,



P. F. Edwards,  
 Andrew J. Ewing,  
 H. F. Finley,  
 Joseph Gardner,

P. A. Lyon,  
 C. N. Pendleton,  
 Joseph B. Read,

Thos. W. Varnon,  
 C. J. Walton,  
 George Wright—22.

Mr. Read then moved to postpone the further consideration of said bill until to-morrow at 10½ o'clock.

Which motion was adopted.

At 10 minutes before two o'clock, P. M., Mr. Jenkins moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	Duncan Harding,	Robert Simmons,
W. W. Culbertson,	James W. Hays,	E. W. Turner,
W. A. Cunningham,	R. G. Hays,	Thos. W. Varnon,
P. F. Edwards,	George B. Hodge,	W. L. Vories—21.

Those who voted in the negative, were—

Wm. J. Berry,	S. H. Jenkins,	J. H. Stanley,
James Blackburn,	J. R. Leslie,	G. W. Swoope,
Andrew J. Ewing,	D. H. Lindsay,	H. A. Tyler,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
B. W. S. Huffaker,	C. N. Pendleton,	George Wright—16.
John Hyden,		

And then the Senate adjourned.

FRIDAY, FEBRUARY 11, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, entitled

An act for the benefit of J. M. Lester, of Caldwell county.

An act to repeal an act, entitled "An act to regulate sales made under decrees of the Barren circuit court," approved January 13, 1872.

An act to amend an act to provide for the erection of school buildings in common school district No. 1, in the town of Hawesville.

An act for the benefit of John Welch, of Franklin county.

Resolution directing Librarian to have air-grates put under Quartermaster and Adjutant General's offices.

Resolution instructing our Senators and requesting our Representatives in Congress to use all honorable means in their power to have surviving soldiers of the war with Mexico placed on the same footing with those of the war of 1812.

Resolution authorizing the appointment of a joint committee to report on the utility of Patterson's Forms.

That they had concurred in the adoption of an amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend article 11, chapter 92, General Statutes.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter and change the name of the Chestnut Street Presbyterian Church, of Louisville.

An act incorporating and for the benefit of building and loan associations of the county of Jefferson and city of Louisville.

That they had passed bills of the following titles, viz :

1. An act concerning Mill creek and its tributaries, in Jefferson county.

2. An act to establish a common school district at Glasgow Junction, in Barren county.

3. An act to incorporate Kentucky College.

4. An act to amend section 9 of chapter 415 of an act of General Assembly of Commonwealth of Kentucky, passed at session 1873-'4, entitled "An act to prevent the sale of medicines and poisons," approved February 20, 1874.

5. An act to amend the charter of the town of Adairville, in Logan county.

6. An act for the benefit of George T. Price, sheriff of Logan county.

7. An act to incorporate the Avery Institute.

8. An act giving the sheriff of Pike county two months further time to pay the revenue of Pike county for the year 1876.

8. An act concerning the joint expenses of the county of Jefferson and city of Louisville, Kentucky.

9. An act to incorporate the Prentice Club, of Louisville.

11. An act to amend an act incorporating the Odd Fellows' Mutual Life Assurance Association, of Louisville, Kentucky.

12. An act to amend an act, entitled "An act to incorporate the Richmond, Irvine, and Three Forks Railroad," approved February 28, 1873.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Propositions and Grievances; the 2d, 3d, 7th, and 10th to the Committee on Education; the 4th and 5th to the Committee on the Judiciary; the 6th and 8th to the Committee on Finance; the 9th to the Committee on Courts of Justice; the 11th to the Committee on Religion and Morals, and the 12th to the Committee on Railroads.

The following petitions and remonstrance were presented, viz:

By Mr. Cleveland—

1. Petition of sundry citizens of Bracken county, asking the passage of a law to prohibit stock from running at large in Bracken county.

By Mr. Lindsay—

2. Petition of sundry citizens residing along Big Eagle creek, praying for the protection of fish in said stream.

By Mr. Walton—

3. Petition of sundry citizens of the town of Caverna, remonstrat-

ing against the repeal of the law prohibiting the sale of liquors in said town.

By Mr. Cleveland—

4. Remonstrance of certain citizens of Bracken county, against the passage of a law preventing stock from running at large in said county.

Which were received, the reading dispensed with, and referred-- the 1st and 4th to the Committee on Propositions and Grievances; the 2d to the Committee on Fish Culture, and the 3d to the Committee on Religion and Morals.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Ford's Mill and Kentucky River Turnpike Road Company.

Which was granted, and the bill delivered to the messenger.

Mr. Walton, from a select committee, reported

A bill to establish a State Board of Health, and to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. J. W. Hays proposed an amendment as a substitute for said bill.

*Ordered*, That said bill and proposed substitute be printed and made the special order of the day for Tuesday next, the 15th inst., at 10½ o'clock, A. M.

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, reported—

A bill to reduce into one all the acts relating to the city of Owensboro.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.



The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate, according to order, took up for consideration

A bill regulating the jurisdiction of the Jefferson circuit court.

*Ordered*, That said bill be committed to the Committee on Courts of Justice.

The Senate, according to order, took up for consideration

A bill in regard to master commissioners in the several circuit, chancery, and common pleas courts of this Commonwealth.

Mr. Wright moved to lay said bill on the table.

Which motion was adopted.

So said bill was rejected.

The Senate took up for consideration the resolution heretofore proposed by Mr. Tyler, entitled

Resolution directing Attorney General to institute proceedings to recover money paid to certain persons who represented the Commonwealth of Kentucky as attorneys.

[*For resolution, see Senate Journal February 9th, 1876.*]

Mr Turner moved the following amendment as a substitute therefor, viz :

WHEREAS, The Auditor of Public Accounts is reported to have drawn warrants upon the Treasury for the following amounts and in favor of the following named persons, to-wit: Warrant No. 6464, in favor of Lucien P. Little, for \$300, dated November 11th, 1873; warrant in favor of Henry Stansbury, No. 6223, for \$1,000, dated November 16th, 1864; warrant in favor of Breckinridge & Buckner, No. 6968, for \$500, dated September 18th, 1874; warrant in favor of Alexander & Dickerson, No. 2865, for \$2,000, dated June 1st, 1875; warrant in favor of E. L. Bullock, No. 65, for \$250, dated December 24th, 1873; warrant No. 3635, in favor of J. H. Dorman, for \$400, dated July 6th, 1875, and warrant No. 3762, in favor of M. C. Johnson, for \$1,188 60, dated July 12th, 1875; and whereas, some question has been made in regard to the authority of said Auditor to draw said warrants; wherefore, be it

*Resolved*, That a select committee of five members of the Senate be appointed by the Speaker to inquire into the authority of said Auditor to issue said warrants, how and under what circumstances the same were issued, and upon what account and for what purpose they were issued. The said committee shall have the power to send for persons and papers, and shall make a full and thorough investigation of the whole matter, and shall report to the Senate, by bill or otherwise, the result of such investigation.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	C. N. Pendleton,
Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	R. B. Lovel,	George Wright—34.
James B. Garnett,		

Those who voted in the negative, were—

Wm. J. Berry,	G. W. Swoope,	H. A. Tyler—4.
H. F. Finley,		

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	Duncan Harding,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	R. B. Lovel,	George Wright—36.

Those who voted in the negative, were—

Wm. J. Berry,	G. W. Swoope—2.
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The Speaker appointed Messrs. Turner, Cunningham, Vories, Walton, and Jenkins said committee.

Mr. Hodge moved that Mr. Tyler be added to said committee.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	C. N. Pendleton,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
Joseph Gardner,	S. H. Jenkins,	C. J. Walton,
James B. Garnett,	J. R. Leslie,	George Wright—17.
Duncan Harding,	D. H. Lindsay,	

Those who voted in the negative, were—

James Blackburn,	H. F. Finley,	Sumner Marble,
Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
Scott Brown,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	R. B. Lovel,	E. W. Turner,
P. F. Edwards,	P. A. Lyon,	Thos. W. Varnon—16.
Andrew J. Ewing,		

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Wells, Mitchell & Co. ;

An act for the benefit of C. W. Thompson, of Metcalfe county ;

Resolution to refer to a joint committee so much of the Governor's message as relates to boundary line between Kentucky and Indiana, and report of commissioners concerning same ;

And an enrolled bill and resolutions, which originated in the Senate, of the following titles, viz :

An act for the benefit of John P. Barrett, late sheriff of Ohio county ;

Resolution directing the appointment of a committee to inquire into the propriety of employing convict labor on works of internal improvement ;

Resolution requesting Governor to furnish official copies to Representatives and Senators in Congress ;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz :

On motion of Mr. Lovel—

1. A bill to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Vanceburg, in Lewis county."

On motion of Mr. Simmons—

2. A bill for the benefit of common schools in the city of Covington.

On motion of same—

3. A bill to amend article 3 of chapter 14 of the General Statutes.

On motion of Mr. R. G. Hays—

4. A bill to incorporate the Louisville Construction Company.

On motion of same—

5. A bill to amend article 23, section 1, General Statutes.

On motion of Mr. Jenkins—

6. A bill for the benefit of L. S. Lee, former sheriff of Ballard county—to collect fee bills.

On motion of Mr. Varnon—

7. A bill to amend the charter of the town of Stanford.

On motion of Mr. Cleveland—

8. A bill to amend chapter 62, article 6, section 10, of the General Statutes.

On motion of Mr. Harding—

9. A bill to incorporate the Bank of Cynthiana.

On motion of same—

10. A bill for the benefit of Wm. M. Nourse, of Harrison county.

On motion of same—

11. A bill to authorize and establish a system of public schools in the town of Carlisle.

On motion of Mr. Ewing—

12. A bill for the benefit of the heirs of Stephen Roe, deceased.

On motion of Mr. Stanley—

13. A bill conferring jurisdiction upon the Henderson city court to try prosecutions for carrying concealed deadly weapons.

On motion of Mr. Gardner—

14. A bill for the benefit of Alexander Deaton, late sheriff of Breathitt county.

On motion of Mr. Blackburn—

15. A bill to amend the charter of the Kentucky Orphan School in Midway, Woodford county.



On motion of Mr. Garnett—

16. A bill incorporating the Calloway Agricultural and Mechanical Association.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on Education the 2d and 11th; the Committee on General Statutes and Codes of Practice the 3d, 5th, and 8th; the Committee on Finance the 4th, 6th, and 12th; the Committee on Banks and Insurance the 9th; the Committee on Military Affairs the 10th; the Committee on the Judiciary the 13th; the Committee on Claims the 14th; the Committee on Charitable Institutions the 15th; the Committee on Privileges and Elections the 7th, and the Committee on Agriculture and Manufactures the 16th.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of Farish Arnett, late sheriff of Magoffin county.

An act to empower W. J. Salyer, collector of railroad tax in Montgomery county, to proceed to the collection of said tax by himself or deputy.

An act for the benefit of F. M. Hunt, of Laurel county.

An act to amend an act, entitled "An act to incorporate the Henderson Building and Loan Association," approved April 24, 1873.

An act for the benefit of school district No. 12, in Warren county.

An act for the benefit of licensed keepers of stud-horses, jacks, and bulls of this Commonwealth.

An act for the benefit of Madison Thomas, committee of Harry P. Thomas, of Lewis county.

An act to amend an act amending the turnpike law of Henry county, approved March 28th, 1872.

An act to change district No. 44, in Kenton county.

An act to authorize the issual of a patent to Isaac Hibbs, jr., and E. Charlton, for the northeast quarter of section 34, township 2, range 1, west.

An act to amend the charter of the Louisville Turnpike Company.

An act to prevent the erection of traps and dams in Rockcastle river.

An act for the benefit of the trustees of the town of Catlettsburg.

Resolution directing Public Printer to print the report of James K. Patterson, commissioner to International Congress of Geographical Sciences.

Resolution directing the Auditor to report the amount of fees received by him in 1875.

Resolution requesting Governor to furnish official copies to Representatives and Senators in Congress.

The Senate, according to order, took up for consideration

A bill to secure the punishment of crime in that part of Kentucky bordering on the State of Tennessee.

Mr. Finley proposed an amendment to said bill.

Which was adopted.

Mr. Tyler proposed an amendment to said bill.

Pending the consideration of which, Mr. Swoope moved that the Senate do now adjourn.

Which motion was adopted.

And then the Senate adjourned.

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### SATURDAY, FEBRUARY 12, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

An act to amend an act, entitled "An act to incorporate the Westport, Carrollton, and Ghent Railway Company."

An act for the benefit of John Wallace, late clerk of Boone county and circuit courts.

An act for the benefit of Thomas H. Spradlin, committee for David Spradlin, an idiot, of Wayne county.

An act for the benefit of John P. Salyer and Augustus Arnett, of Magoffin county.

An act for the construction of turnpike roads in Robertson county.

An act conferring jurisdiction on the Louisville chancery court over the estate of Samuel B. Thomas, deceased, and authority to adjudicate and settle with the trustee under the will of said Thomas.

An act to provide for districting Ohio county into justices' districts.

An act to incorporate the Southwestern Railroad Company.

An act increasing the jurisdiction of the quarterly courts and justices in Christian and other counties.

The last named act with an amendment.

That they had passed bills and adopted a resolution of the following titles, viz :

1. An act to reduce and regulate the salaries of the officers of this Commonwealth.

2. An act incorporating the Home Savings Bank of Winchester, Kentucky.

3. An act to amend the charter of Owingsville, Bath county.

4. An act to prevent the destruction of fish in Licking river, Slate creek, and Triplett creek, in Bath and Rowan counties, and Fleming creek, Johnson creek, and Licking river, in Johnson county.

5. An act to amend the several acts in relation to the town of Winchester.

6. An act to incorporate the Green River Iron and Coal Company.

7. An act for the benefit of John Grumbly, of Todd county.

8. An act to allow the voters of Marshall county to vote on the question of removing the county seat of Marshall county.

9. An act for the benefit of Fletcher Chelf, of Marion county.

10. An act to regulate the road law of Kenton county.

11. An act for the benefit of the Kentucky Mutual Benefit Association, of Maysville, Kentucky.

12. An act to authorize the judge of the Mason quarterly court to appoint the clerk of said court.

13. An act to legalize acts of the McCracken county judge, and to authorize him to sell real property purchased by the court.

14. An act to amend the charter of the city of Paducah, Kentucky.

15. An act to incorporate the town of Skilesville, in Muhlenburg county, Kentucky.

16. An act to give the assessor further time to list the property in McLean county.

17. An act to repeal the charter of the Louisville, Memphis, and New Orleans Railroad.

18. An act to authorize the citizens of Garnettsville precinct, in Meade county, to vote upon the question of licensing taverns to sell spirituous, vinous, and malt liquors.

19. An act for the benefit of O. K. Cluke.

20. An act to repeal sections 5, 6, and 7 of an act, entitled "An act to amend the charter of the town of Harrodsburg," approved February 18th, 1870.

21. An act for the benefit of H. M. Alexander, sheriff of Cumberland county.

22. An act for the benefit of Richard Hackley, elisor of the Garrard circuit court.

23. An act to amend an act to incorporate the town of Greenville, and give concurrent jurisdiction with police judge to county judge and justices of the peace.

24. An act to amend the charter of Bardstown, regulating the fees of police judge in said town.

25. An act to amend an act, entitled "An act to incorporate the Chaplin and Bloomfield Turnpike Road Company."

26. An act to amend the charter of the town of Rockport, Ohio county.

27. An act to amend section 6 of article 13 of chapter 29, General Statutes, for the benefit of Wm. F. Peak, of Trimble county.

28. An act to regulate tolls on turnpike roads in Owen county.

29. An act to incorporate the Pendleton County Mutual Aid Association.

30. An act to amend an act, entitled "An act to incorporate the town of Butler, Pendleton county."

31. An act to regulate the holding the court of claims in Pulaski county.

32. An act to increase the number of and fix the time and place of holding the county courts in Warren county.

33. An act changing the boundary of the town of Georgetown, Scott county.

34. An act to incorporate the Kentucky Grangers' Mutual Benefit Society.



35. An act to empower the court of claims of Shelby county to levy an ad valorem tax, and to legalize the ad valorem levies of 1873 and 1874 and 1875.

36. An act to regulate the sale of spirituous, vinous, and malt liquors in the town of Shelbyville.

37. An act to amend an act, entitled "An act to amend and reduce into one the several acts relating to the town of Franklin."

38. An act to incorporate the Patrons' Co-operative Association, of Simpson county.

39. An act repealing all acts declaring Little river a navigable stream.

40. An act to incorporate the State Grange of the Patrons of Husbandry of Kentucky.

41. An act to repeal an act, entitled "An act to regulate the pay of the members of the court of claims of Todd county."

42. An act for the benefit of Allensville voting precinct, in Todd county.

43. An act to re-establish the common pleas court in the county of Union.

44. An act to amend the charter of the town of Caseyville.

45. An act to incorporate the Court Street Baptist Church, Bowling Green, Kentucky.

46. An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company," approved February, 1866.

47. An act to confer additional powers upon the county court of Barren county.

48. An act for the benefit of George W. Pickett, of Adair county.

49. An act for the benefit of W. W. Cox, late sheriff and present and late county and quarterly court judge of Morgan county.

50. An act to declare Cane creek, in Breathitt county, a navigable stream from its mouth to the mouth of Seward's branch.

51. An act to legalize the Washington county court of claims for 1875.

52. An act to prohibit the sale of spirituous liquors in the town of Monticello, Wayne county, and within five miles of said town.

53. An act to amend the charter of the Mt. Freedom and Jessamine County Turnpike Road Company.

54. An act to incorporate the town of Summer Shade, in Metcalfe county.

55. An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Mount Sterling.

56. Resolution as to relations between the State of Kentucky and the Kentucky River Navigation Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 16th, 21st, 22d, 41st, 48th, 49th, and 51st to the Committee on Finance; the 2d, 11th, 29th, 34th, 38th, and 40th to the Committee on Banks and Insurance; the 3d, 5th, 14th, 15th, 17th, 18th, 20th, 24th, 26th, 30th, 33d, 37th, 42d, 44th, 54th, and 55th to the Committee on the Judiciary; the 4th to the Committee on Fish Culture; the 6th, 8th, 12th, 13th, 19th, 23d, 31st, 32d, 35th, 43d, and 47th to the Committee on Courts of Justice; the 7th, 36th, 45th, and 52d to the Committee on Religion and Morals; the 9th to the Committee on Claims; the 10th, 25th, 28th, and 53d to the Committee on Internal Improvement; the 27th to the Committee on General Statutes and Codes of Practice; the 39th and 50th to the Committee on Propositions and Grievances; the 46th to the Committee on Agriculture and Manufactures, and the 56th, the resolution, to the Committee on the Judiciary.

The following remonstrance was presented, viz:

By Mr. Cleveland—

Remonstrance of sundry citizens of Pendleton county against the repeal of the charter of the Licking River Lumber and Mining Company.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

Mr. R. G. Hays moved the following resolution.

The rule of the Senate being dispensed with, said resolution was taken up and read as follows, viz:

WHEREAS, This session of the General Assembly is rapidly drawing to a close; and whereas, in view of the amount of unfinished business now before the Senate and the short constitutional limit in which we have to complete the pending measures and the importance of an early adjournment; therefore, in order to attain that end,

*Be it resolved by the Senate,* That on and after Tuesday, the 15th inst., the Senate will meet at the hour of 9 o'clock, A. M., during the remainder of the session.

Mr. Cleveland proposed to amend said resolution by striking out the words "9 o'clock, A. M.," and insert "9½ A. M., and that the adjourning hour shall be 1 o'clock P. M."

Mr. Swoope moved to amend the amendment by striking out "1 P. M." and inserting "2 P. M."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	R. G. Hays,	G. W. Swoope,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—29.
Joseph Gardner,	R. B. Lovel,	

Those who voted in the negative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read—5.
F. L. Cleveland,	Sumner Marble,	

Mr. Tyler moved to lay said amendment on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	Sumner Marble,	H. A. Tyler—11.
James B. Garnett,	C. N. Pendleton,	

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	P. A. Lyon,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
James Blackburn,	B. W. S. Huffaker,	G. W. Swoope,
Scott Brown,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—24.

The hour of 12, M., having arrived, further action thereon was cut off by the orders of the day.

Mr. Cleveland moved to suspend the rule in order to allow the Committee on Appropriations to report a resolution.



And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	R. B. Lovel,	E. W. Turner,
W. A. Cunningham,	P. A. Lyon,	H. A. Tyler,
P. F. Edwards,	Sumner Marble,	Thos. W. Varnon,
James B. Garnett,	C. N. Pendleton,	C. J. Walton—25.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Wm. J. Berry,	H. F. Finley,	D. H. Lindsay,
Robert A. Briggs,	James W. Hays,	W. L. Vories,
W. W. Culbertson,	B. W. S. Huffaker,	George Wright—11.
Andrew J. Ewing,	J. R. Leslie,	

Mr. Cleveland, from the Committee on Appropriations, to whom was referred a resolution from the House of Representatives, entitled Resolution appropriating \$5,000 for Centennial purposes,

Reported the same without amendment.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Governor is hereby authorized to appoint ten commissioners, one from each Congressional District, who shall serve without cost to the State; the Governor, N. S. Shaler, and said commissioners, shall constitute the Kentucky Centennial Board, which is authorized to take such steps, and do all such things as to them shall seem proper for securing at the Centennial Exposition at Philadelphia a due representation, by specimen, publication, and otherwise, of the natural resources of the Commonwealth, especially in timber, coal, lead, iron, and other mineral wealth, and of such other things as may, in their judgment, illustrate the resources of the Commonwealth, developed and undeveloped, or promote its interest, and to expend, at their discretion, for such purpose, such sums as may be required, not exceeding in the aggregate five thousand dollars, which sum is hereby appropriated; and such sum or sums shall be allowed and paid out of the Treasury on warrant drawn by the Governor, on order of said Board, at such time or times as shall to said Board seem expedient, not exceeding the amount appropriated.

Mr. J. W. Hays moved to amend said resolution by striking out “\$5,000” and inserting in lieu thereof “\$4,000.”

And the question being taken on the adoption of said amendment, it was decided in the negative.



The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
Wm. J. Berry,	S. H. Jenkins,	George Wright—7.
James W. Hays,		

Those who voted in the negative, were

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
James Blackburn,	James B. Garnett,	C. N. Pendleton,
Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—29.
H. F. Finley,	P. A. Lyon,	

Mr. Swoope moved to amend said resolution by striking out “\$5,000” and inserting in lieu thereof “\$500.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Andrew J. Ewing,	George Wright—3.
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Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton—31.
Joseph Gardner,		

Mr. R. G. Hays then moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. G. Hays,	C. N. Pendleton,
James Blackburn,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
James B. Garnett,	Sumner Marble,	George Wright—12.

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
Thos. J. Barker,	Joseph Gardner,	P. A. Lyon.
Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	James W. Hays,	E. W. Turner,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton—24.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	James W. Hays,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton—22.
Joseph Gardner,		

Those who voted in the negative, were—

Wm. J. Berry,	R. G. Hays,	C. N. Pendleton,
James Blackburn,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	S. H. Jenkins,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	George Wright—14.
James B. Garnett,	Sumner Marble,	

Mr. J. W. Hays then moved to reconsider the vote by which the Senate had concurred in the adoption of said resolution.

Which motion was simply entered.

The Senate, according to order, took up for consideration the unfinished special order of yesterday, entitled

A bill to secure the punishment of crime in that part of Kentucky bordering on the State of Tennessee.

*Ordered*, That the further consideration of said bill be made the special order for Monday, the 14th inst., at 11 o'clock, A. M.

The Senate took up for consideration a bill, entitled

A bill to amend chapter sixty of the General Statutes, entitled  
 "Interest and Usury."

Mr. Briggs moved to postpone the further consideration of said bill until the 22d of February.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	P. A. Lyon,
Scott Brown,	R. G. Hays,	Sumner Marble,
F. L. Cleveland,	B. W. S. Huffaker,	C. N. Pendleton,
W. W. Culbertson,	John Hyden,	Joseph B. Read—14.
P. F. Edwards,	R. B. Lovel,	

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	G. W. Swoope,
Thos. J. Barker,	James W. Hays,	E. W. Turner,
Wm. J. Berry,	S. H. Jenkins,	H. A. Tyler,
James Blackburn,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	Robert Simmons,	C. J. Walton,
H. F. Finley,	J. H. Stanley,	George Wright—22.
Joseph Gardner,		

Mr. Swoope moved to recommit said bill to the Committee on the Judiciary.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	R. G. Hays,	C. N. Pendleton,
W. W. Culbertson,	R. B. Lovel,	Joseph B. Read,
P. F. Edwards,	Sumner Marble,	G. W. Swoope—10.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Robert Simmons,
Wm. J. Berry,	Duncan Harding,	E. W. Turner,
James Blackburn,	James W. Hays,	H. A. Tyler,
Robert A. Briggs,	B. W. S. Huffaker,	Thos. W. Varnon,
Scott Brown,	John Hyden,	W. L. Vories,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—26.
H. F. Finley,	D. H. Lindsay,	

Mr. Barker moved to postpone the further consideration of said bill, and make it the special order for Tuesday, the 15th inst., at 10½ o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	George Wright—24.

Those who voted in the negative, were—

James Blackburn,	James B. Garnett,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	G. W. Swoope,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—12.

Mr. Barker read and laid on the table a joint resolution.

On motion, leave of absence, indefinitely, was granted Mr. Hodge, and leave of absence until Tuesday was granted the Speaker.

Leave was given to bring in the following bills, viz :

On motion of Mr. Brown—

1. A bill concerning fees of notaries public.

On motion of Mr. Simmons—

2. A bill to amend the charter of the city of Covington.

On motion of Mr. Harding—

3. A bill to incorporate the Mt. Olivet and Bridgeville Turnpike Road Company, in Robertson county.

On motion of same—

4. A bill to amend an act, entitled "An act to incorporate the Carlisle Cemetery Company," approved 14th February, 1861.

On motion of same—

5. A bill for the benefit of the Moorfield and Upper Blue Lick Turnpike Road Company.

On motion of Mr. Vories—

6. A bill to incorporate the New Castle, Pleasureville, and Sweet Home Turnpike Road Company.

On motion of same—

7. A bill to extend the limits of the town of Pleasureville, in Henry county.



On motion of Mr. J. W. Hays—

8. A bill to amend section 6, chapter 70, of the General Statutes, in relation to mechanics, laborers, and material men.

On motion of same—

9. A bill to amend article 3, chapter 5, General Statutes.

On motion of same—

10. A bill to amend the charter of Elizabethtown.

On motion of Mr. Garnett—

11. A bill for the benefit of J. N. Williams, late assessor of Callo-way county.

On motion of Mr. Gardner—

12. A bill for the benefit of M. B. Cox, of Morgan county.

On motion of same—

13. A bill for the benefit of C. N. Hoskins, sheriff of Powell county.

On motion of Mr. Barker—

14. A bill to regulate the taxation of the State.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on the Judiciary the 2d, 7th, 10th, and 11th; the Committee on Internal Improvement the 3d, 5th, and 6th; the Committee on Religion and Morals the 4th; the Committee on General Statutes the 8th and 9th, and the Committee on Finance the 14th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz:

An act to amend article 11, chapter 91, of the General Statutes, title "Revenue and Taxation."

And bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Mutual Benefit Association of the Western Virginia Conference of the Methodist Episcopal Church, South;

An act to amend the charter and change the name of the Chestnut Street Presbyterian Church, of Louisville;

An act for the benefit of school district No. 21, in Kenton county;

An act incorporating and for the benefit of building and loan associations of the county of Jefferson and city of Louisville;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto,

and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

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MONDAY, FEBRUARY 14, 1876.

In the absence of the regular Speaker, and at his request, Hon. Thos. J. Barker, Senator from the Fourteenth District, took the chair.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to amend chapter 33, article 2, General Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on General Statutes and Codes of Practice.

On motion of Mr. Ewing, leave of absence, indefinitely, was granted Mr. Swoope.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, to whom was referred a resolution from the House of Representatives, entitled

Resolution to appoint joint committee to report as to propriety of building new stable for Governor's Mansion,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The Speaker appointed Messrs. Brown and Cunningham said committee.

Mr. J. W. Hays withdrew the motion made by him on Saturday, the 12th ultimo, to reconsider the vote by which the Senate had con-

curred in the adoption of a joint resolution, which originated in the House of Representatives, entitled

Resolution appropriating \$5,000 for Centennial purposes.

The Senate took up for consideration the resolution proposed by Mr. Barker on Saturday.

Said resolution reads as follows, viz :

*Resolved*, That from and after Monday, 14th February, 1876, no Senator, unless by unanimous consent, shall occupy on any one subject a longer time than five minutes, nor shall any Senator speak more than once on any one subject, unless by unanimous consent.

Mr. Cunningham moved to lay said resolution on the table.

Which motion was adopted.

The Senate, according to order, took up for consideration

A bill to secure the punishment of crime in that part of Kentucky bordering on the State of Tennessee.

*Ordered*, That the further consideration of said bill be postponed till to-morrow at 11 o'clock.

The Senate, according to order, took up for consideration

A bill authorizing the employing and hiring the convicts to work out of the penitentiary.

*Ordered*, That the further consideration of said bill be postponed till day after to-morrow, the 16th inst., at 10½ o'clock, A. M.<sup>a</sup>

Mr. Blackburn read and laid on the table the following joint resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the officers and directors of the Commercial Bank of Kentucky, at Paducah, are hereby required to report to this General Assembly, without delay, the condition of said bank, who are stockholders in said bank, and the amount of stock held by each, and what dividend (if any) has been declared and paid upon such stock for the years 1874 and 1875.

Which, under the rule, lies one day on the table.

The Senate took up for consideration

A bill to amend section 651 of the Civil Code of Practice.

Mr. Wright moved to lay said bill on the table.

Which motion was adopted.

The Senate, according to order, took up for consideration

A bill to establish a criminal court in the 6th judicial district and Hardin county.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a court of justice in and for the



sixth judicial district in this Commonwealth, and for the county of Hardin, which shall be known as the Criminal Court for the Sixth Judicial District and county of Hardin, to be a court of record, held by a single judge, who shall have the same qualifications, and receive the same salary, as the circuit judges of this Commonwealth, which shall be paid him from the State Treasury in like manner. He shall be a conservator of the peace, and have and exercise all the powers of a circuit court judge in criminal and penal cases, issuing writs, receiving returns, and hearing writs of habeas corpus, be commissioned and sworn as circuit court judges are, and be subject to impeachment and removal in like manner and for like causes.

§ 2. The judge shall be elected at the August election, 1876, and continue in office six years. Vacancies shall be filled in the office of said judge as is provided for circuit courts, and the same practice, as far as applicable, shall prevail in said court as in circuit courts, and said court shall have a seal bearing its name and the arms of the Commonwealth.

§ 3. The sheriffs, jailers, coroners, and other ministerial officers of said 6th district and county of Hardin, shall perform all the duties in all cases and proceedings in said court which would otherwise devolve on them in the circuit court, and they shall be entitled to the same fees therefor; and they and their sureties shall be responsible on their official bonds for their acts in said court. The clerks of the circuit courts in the several counties in said 6th district and county of Hardin shall perform all the clerical duties of said court, and shall style themselves the clerks of the criminal court for the county in which each of them may be circuit court clerk; and the said clerks shall be, with their sureties, responsible on their bonds for the faithful discharge of their duties herein. Immediately after the first day of August, 1876, said clerks shall, without fee, transfer all criminal and penal causes from the docket of the circuit to the docket of the criminal court in each county, which causes shall thereafter be disposed of in said criminal court. And said circuit court shall no longer have cognizance of any criminal or penal causes or plea of the Commonwealth in said 6th district and county of Hardin.

§ 4. The said criminal court shall have all the jurisdiction in criminal and penal causes and proceedings which the circuit courts have, and which may be conferred upon said court, and it shall take the place of the circuit courts in the counties of said district and county of Hardin in such jurisdiction; and it shall also have concurrent jurisdiction with the circuit court in inquests of lunacy and idiocy, and be exclusive of the circuit court in allowing claims connected with the business of said criminal court.

§ 5. The regular terms of said criminal court shall be held as follows, viz:

In the county of Adair, in Columbia, commencing on the third Monday of April and October, and continue twelve juridical days each.

In the county of Clinton, in Albany, commencing on the first Monday of May and November, and continue six juridical days each.

In the county of Cumberland, in Burksville, commencing on the second Monday of May and November, and continue twelve juridical days each.

In the county of Monroe, in Tompkinsville, commencing on the fourth Monday of May and November, and continue six juridical days each.

In the county of Barren, in Glasgow, commencing on the third Monday of June and December, and continue twelve juridical days each.

In the county of Hart, in Munfordsville, commencing on the third Monday of July and January, and continue twelve juridical days each.



In the county of Green, in Greensburg, commencing on the first Monday of July and January, and continue twelve juridical days each.

In the county of Metcalfe, in Edmonton, commencing on the second Monday in August and February, and continue six juridical days each.

In the county of Allen, in Scottsville, commencing on the fourth Monday of August and February, and continue six juridical days each.

In the county of Hardin, in Elizabethtown, on the second Monday in April and October, and continue twelve juridical days each.

§ 6. The said court shall extend any of its terms, if the business shall require it, by making an order to that effect on the record at a regular term while in session, provided said extension may not interfere with the regular term in another county; and the court or judge may appoint special terms for any business of the court in the same manner that circuit courts or judges may appoint special terms of such courts. The said criminal court shall have full power to make all proper rules and regulations to facilitate its business, not inconsistent with the Constitution and laws of the State; and its judgments and final orders shall be subject to appeals in like manner as those of circuit courts, and it shall have full power to attach for and punish contempts of its authority. The Commonwealth attorney for said sixth district shall attend each term of said court and represent the Commonwealth, and discharge all the duties and be entitled to the same compensation as now provided by law for attending circuit courts.

§ 7. In the selection and summoning jurors in the trials by jury, and payment of jurors in said court, the same shall be governed by the laws at the date applicable to circuit courts. The circuit courts in said district, at the term in each county next preceding the time that this act takes effect, shall cause jurors to be selected in the manner required by law for the first term of the criminal court in such county, and make all bail bonds and recognizances taken at such term of the circuit court returnable for the appearance of the party bound to appear at such first term of the criminal court; and all magistrates' and examining courts in each county shall, after this act takes effect, make all bail and peace bonds and recognizances returnable to the criminal court of such county.

§ 8. Special judges for said criminal court may be elected for the same causes and in the same manner as in the circuit courts, and the provisions of the law in relation to record books, presses, seals, stationery, and other expenses in circuit courts, shall be applicable to this court.

§ 9. All reports and returns required to be made to the circuit court, by circuit court clerks, county clerks, county court judges, police judges, justices of the peace, sheriffs, marshals, constables, and all civil officers and other persons having fines and forfeitures or other funds in their hands belonging to the jury fund, shall be made exclusively to the criminal court; and all the powers and duties of the circuit court respecting the same are hereby transferred exclusively to the criminal court.

§ 10. The judge of said criminal court and the judge of the sixth judicial district and of the fifth judicial district may interchange and hold terms of court for each other in their respective circuits and counties, or either of said judges may preside at the trial of any action or prosecution pending for trial if the regular judge be absent, or, if present, cannot from any cause preside on the trial. In case neither the regular judge of said criminal court nor one of said circuit court judges are present, or, if present, cannot properly preside, an election of a special judge may be held in the manner prescribed by law for the election of a special judge in the circuit courts; and the law in relation to compensation of special

judges in the circuit court shall apply to the case of a special judge in this court.

§ 11. Nothing herein shall be so construed as to take from the circuit court the power to make provision for the payment of the jurors of the circuit court.

§ 12. All acts in conflict with this act are repealed.

§ 13. This act shall take effect from and after the last day of July next.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—32.
James B. Garnett,	Sumner Marble,	

Those who voted in the negative were—

H. F. Finley,                      B. W. S. Huffaker—2.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration

A bill to amend an act, entitled "An act to amend chapter 23 of the Revised Statutes, title 'Crimes and Punishments.'"

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That if any person shall maliciously send, circulate, put up, or exhibit any letter or notice, signed with such person's own or another's name, or anonymously, threatening to accuse of, or to prosecute any person for crime, or in any unlawful manner to injure any person or his property, he shall, on conviction thereof, be fined not less than one nor more than three hundred dollars, or imprisoned in the county jail not less than three nor more than twelve months, or both so fined and imprisoned, in the discretion of a jury.

§ 2. That if two or more persons shall band and confederate themselves together for the purpose of maliciously, and by unlawful means, intimidating, alarming, or disturbing any person or persons, each person so offending shall, on conviction thereof, be fined not less than one nor more than five hundred dollars, or imprisoned in the county jail not less than three nor more than twelve months, or both so fined and imprisoned, in the discretion of a jury. And if two or more persons shall band or confederate themselves together for the purpose of committing a felony, they, or either of them so offending, shall, on conviction thereof, be confined in the penitentiary for not less than six nor more than twelve months.

§ 3. That so much of said act to which this is an amendment as is in conflict with the provisions hereof is hereby repealed.

§ 4. This act shall take effect thirty days after its passage.

Mr. Goodloe moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Read, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
H. F. Finley,	C. N. Pendleton,	C. J. Walton,
Wm. Cassius Goodloe,	Joseph B. Read,	George Wright—19.
Duncan Harding,		

Those who voted in the negative, were—

Thos. J. Barker,	Joseph Gardner,	D. H. Lindsay,
James Blackburn,	James B. Garnett,	R. B. Lovel,
Scott Brown,	John Hyden,	Sumner Marble,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	W. L. Vories—16.
Andrew J. Ewing,		

So said bill was rejected.

The Senaté, according to order, took up for consideration

A bill to provide for continuing the Geological and other Surveys of the State of Kentucky,

Together with the amendments to said bill proposed by the Committee on Appropriations.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky.* That the Geological and other Surveys of the Commonwealth, provided for and ordered by the acts approved respectively March 22 1873, and February 13, 1874, be and the same are hereby, continued, subject to the conditions set forth in these enactments, except so far as is hereafter provided.

§ 2. That the maps, reports, and other publications of the Survey, shall be disposed of and distributed as follows : one copy shall be given to each member of the State Government; and three copies for distribution in their respective counties, to each member of the General Assembly ; one to each county and circuit clerk's office, to be filed and retained therein as the property of the State, and to be retained therein for information and reference by the citizens of said county ; five copies to each officer of the Survey engaged in the preparation thereof ; three hundred copies shall be distributed to the various public libraries and other public institutions and men of science in this and other countries in the manner most likely to diffuse knowledge of the resources of the State, and to aid in



developing its industries; that the remainder of the copies printed from time to time shall be offered for sale, as may be directed by the Governor of this Commonwealth, at the actual cost of printing, binding, and distributing the same.

§ 3. For the maintenance of the Surveys, as above provided, there is hereby appropriated, from any moneys in the Treasury not otherwise appropriated, as follows: For the farther Geological investigation of the State, including the salaries of the Director and his Geological Assistants, and their field expenses, seven thousand dollars per annum; for the Topographical Survey, including the salaries of Assistants and field expenses, five thousand dollars per annum; for the salaries of the Chemical Assistants and their office expenses, three thousand dollars per annum; for the preparation of stereotype and lithographic plates, and press-work, paper, and the other expenses of printing the reports, maps, &c., seven thousand dollars per annum; for the outfit, expenses of the Survey, the purchase of horses and wagons, instruments, &c., and for office expenses, fifteen hundred dollars per annum; for the purchase of cases, and the expense incident to collections at the State Cabinet and elsewhere, as provided and declared in the act approved March 22, 1873, fifteen hundred dollars per annum: *Provided, however,* That the money not required for any of the purposes specified above may be used for the other specified purposes; and no part of the amount set apart for plates, printing, &c., shall be used for any other purpose until the publication shall be fully completed; and this act shall expire at the end of two years from and after its passage.

§ 4. This act shall take effect from and after its passage.

The question was then taken on the adoption of the first amendment proposed by the Committee on Appropriations, and it was decided in the affirmative.

Said amendment reads as follows, viz:

Amend the bill by striking out in the 3d section, in the 5th line, the word "seven," and inserting the word "six;" and strike out, in the same section, the word "five," and insert "four;" strike out, in the 12th line, "fifteen hundred dollars," and insert, in lieu thereof, "one thousand dollars;" and strike out "fifteen hundred dollars," in the 15th line, and insert "one thousand dollars."

The question was then taken on the adoption of the second amendment proposed by the Committee on Appropriations, and it was decided in the affirmative.

Said amendment reads as follows, viz:

Insert after the word "per annum," in 11th line: "*Provided,* The printing and binding authorized by this act shall be duly advertised, and let to the lowest responsible bidder, under the direction and supervision of the Governor and Director of the Survey."

*Ordered,* That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.



The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
Wm. J. Berry,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	C. N. Pendleton,
Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton—31.
Joseph Gardner,		

Those who voted in the negative, were—

Andrew J. Ewing,	J. R. Leslie,	George Wright—5.
James B. Garnett,	H. A. Tyler,	

*Res lved*, That the title of said bill be as aforesaid.

The Senate, according to order, resumed the consideration of a resolution proposed by Mr. R. G. Hays on Saturday, the 12th inst.

[*For resolution and amendment, see Senate Journal February 12th, 1876.*]

The question was then taken on the amendment, as amended, and it was decided in the affirmative

The yeas and nays being required thereon by Messrs. J. W. Hays and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—20.
Wm. Cassius Goodloe,	Joseph B. Read,	

Those who voted in the negative, were—

Wm. J. Berry,	James B. Garnett,	S. H. Jenkins,
James Blackburn,	James W. Hays,	R. B. Lovel,
W. W. Culbertson,	R. G. Hays,	C. N. Pendleton,
W. A. Cunningham,	George B. Hodge,	Robert Simmons,
P. F. Edwards,	John Hyden,	Thos. W. Varnon—16.
H. F. Finley,		

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

Mr. Marble, from the Joint Select Committee on Revision of the Codes of Practice, reported

A bill regulating practice in civil cases.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. Read proposed an amendment to said bill.

Pending the consideration of which, Mr. Turner moved that the further consideration of said bill and pending amendment be postponed till to-morrow, at 11 o'clock.

Which motion was adopted.

The yeas and nays being required thereon by Messrs. Turner and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	C. N. Pendleton,
Scott Brown,	B. W. S. Huffaker,	Joseph B. Read,
F. L. Cleveland,	John Hyden,	Robert Simmons,
W. A. Cunningham,	S. H. Jenkins,	J. H. Stanley,
P. F. Edwards,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—27.

Those who voted in the negative, were—

James Blackburn,	R. G. Hays,	Thos. W. Varnon—5.
Robert A. Briggs,	H. A. Tyler,	

The Senate took up for consideration

A bill to regulate coffee-houses and saloons in this Commonwealth.

Said bill reads as follows, viz :

§ 1 *Be it enacted by the General Assembly of the Commonweal'th of Kentucky*, That when a license is granted to any person, except the keeper of a tavern, authorizing them to sell spirituous or vinous liquors by the drink, he shall execute bond in the county court of his county, with sufficient surety or sureties, in substance as follows :

Whereas, A B has obtained a license to vend spirituous and vinous liquors by the drink in the county of ———, now we, A B, principal, and C D, his surety, do covenant and agree that the said A B will not suffer any gaming in his house or on his premises, and will not suffer any person to tipple or drink more than is necessary in his house or on his premises, or at any time suffer any scandalous or disorderly behavior in his house or on his premises, or violate the law in regard to furnishing liquors to minors

Given under our hands this ——— day of ———.

§ 2. For any violation of his bond he may be proceeded against by indictment in any court of this Commonwealth having jurisdiction, and be subject to the same fines as tavern-keepers.

§ 3. That this act shall be in force from and after its passage.

Mr. Walton moved to amend said bill by adding to the second section thereof the following, viz :

And that said saloon-keepers and their sureties shall be liable for all damages to persons or property resulting from the use of intoxicating drinks in said saloons.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	J. H. Stanley,
Andrew J. Ewing,	S. H. Jenkins,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	Thos. W. Varnon,
Joseph Gardner,	D. H. Lindsay,	C. J. Walton—20.
Wm. Cassius Goodloe,	C. N. Pendleton,	

Those who voted in the negative, were—

James Blackburn,	P. F. Edwards,	R. B. Lovel,
Scott Brown,	James B. Garnett,	Sumner Marble,
W. W. Culbertson,	John Hyden,	George Wright—10.
W. A. Cunningham,		

Mr. Read moved to amend said bill by adding thereto the following as an additional section, viz :

“This act shall not apply to the city of Louisville.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

Mr. Read then moved to recommit said bill to the Committee on the General Statutes and Codes of Practice.

Which motion was adopted.

The yeas and nays being required thereon by Messrs. Cleveland and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Andrew J. Ewing,	P. A. Lyon,
James Blackburn,	James B. Garnett,	C. N. Pendleton,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
Scott Brown,	James W. Hays,	Robert Simmons,
W. W. Culbertson,	R. G. Hays,	J. H. Stanley,
W. A. Cunningham,	George B. Hodge,	Thos. W. Varnon—20.
P. F. Edwards,	John Hyden,	

Those who voted in the negative, were

Thos. J. Barker,	B. W. S. Huffaker,	Sumner Marble,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
H. F. Finley,	J. R. Leslie,	H. A. Tyler,
Joseph Gardner,	D. H. Lindsay,	C. J. Walton,
Wm. Cassius Goodloe,	R. B. Lovel,	George Wright—15.

Mr. Blackburn moved the following resolution, viz :

*Resolved*, That the various State officers shall report, without delay, what compensation, by way of fees or otherwise, they charge or receive, or were charged and received by them or their predecessors in office during the years 1874 and 1875, for their services, beyond their regular salaries.

Which, under the rule, lies one day on the table.

The following memorial, petition, and remonstrances were presented, viz :

By Mr. Lovel—

1 Memorial of Dr. John P. Phister, of Maysville, in regard to tolls charged upon turnpike roads.

By same—

2. Petition of Dr. John C. Phister, of Maysville, in regard to tolls charged on turnpike roads.

By Mr. Gardner—

3. Remonstrance of seventy-five citizens of Magoffin county against the repeal of the charter of the Licking River Lumber and Mining Company.

By Mr. Marble—

4. Remonstrance of certain citizens of Caldwell county against repeal of the local option law.

By Mr. Pendleton—

5. Remonstrance of citizens of Madisonville, Hopkins county, against the repeal of the local option law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Immigration and Labor; the 3d to the Committee on the Judiciary; the 4th to the Committee on General Statutes and Codes of Practice, and the 5th to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz :

On motion of Mr. Hodge—

1. A bill to amend the charter of the city of Newport.

On motion of same—

2. A bill to repeal an act creating the office of street commissioner in Newport.



On motion of same—

3. A bill to regulate the proceedings and jurisdiction of the Campbell circuit and chancery courts.

On motion of Mr. Jenkins—

4. A bill for the benefit of R. M. Shelton, S. B. Coil, and W. J. Harkless, of Ballard county.

On motion of same—

5. A bill for the benefit of Joseph H. Davis, of Ballard county.

On motion of same—

6. A bill for the benefit of L. S. Lee, former sheriff of Ballard county.

On motion of Mr. Wright—

7. A bill to amend section 1, article 5, chapter 15, General Statutes.

On motion of same—

8. A bill to incorporate the Smith's Grove Grange Trading and Agricultural Society.

On motion of same—

9. A bill to regulate the circuit and criminal courts in Warren county.

On motion of Mr. Marble—

10. A bill to authorize Blount Hodge to appoint John L. Vick executor of him, the said Hodge, and to authorize the said Vick to accept such appointment.

On motion of same—

11. A bill for the benefit of Alvin Duvall, one of the commissioners to revise the Codes of Practice.

On motion of Mr. Lyon—

12. A bill to amend section 1, article 16, chapter 92, General Statutes.

On motion of Mr. Harding—

13. A bill to legalize the acts of the county judge of Robertson county in taking sheriff's bond for 1876.

On motion of Mr. Pendleton—

14. A bill incorporating the United Order of Odd Fellows' Mutual Life Insurance Company.

On motion of Mr. Vories—

15. A bill to incorporate the new town of Campbellsburg, in Henry county.

On motion of Mr. Simmons—

16. A bill to amend an act to incorporate the Grand Lodge of Ancient Order of United Workman of Kentucky, approved February 11, 1873.

On motion of Mr. Gardner—

17. A bill to appoint commissioners to properly locate the county line between the counties of Morgan and Menifee.

*Ordered*, That the Committee on Railroads prepare and bring in the 1st; the Committee on Propositions and Grievances the 2d, 4th, 6th, and 17th; the Committee on Courts of Justice the 3d, 13th, and 15th; the Committee on Claims the 5th and 11th; the Committee on Finance the 7th and 14th; the Committee on Agriculture and Manufactures the 8th; the Committee on the Judiciary the 10th and 11th, and the Committee on General Statutes and Codes of Practice the 12th and 16th.

And then the Senate adjourned.

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## TUESDAY, FEBRUARY 15, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to enable the Literary Society of St. Louis Bertrand, of Louisville, Ky., to issue mortgage bonds.

An act to prohibit the sale of spirituous or malt liquors in Sardis precinct, Mason county.

An act to repeal an act to prevent the sale of spirituous and vinous liquors in Elkton, Todd county, approved December 20, 1871.

An act to amend an act, entitled "An act incorporating the German Lutheran Presbyterian St. John's Church, in Newport." (Session Acts 1850-'51, vol. 2, page 270.)

An act to amend chapter 52 of the General Statutes, entitled "Husband and Wife."

An act to amend an act, entitled "An act to incorporate the Bardstown Baptist Female College, at Bardstown."

An act for the benefit of John E. Abbott, of Hart county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend chapter 28, article 18, title "Courts," of the General Statutes.

An act to reduce into one and amend and digest the acts and amendatory acts incorporating the city of Augusta, in Bracken county.

That they had passed bills and adopted a resolution of the following titles, viz :

1. An act to authorize the voters of Mayfield to vote upon the question of prohibiting the sale of spirituous liquors, &c., in said city.

2. An act to incorporate the Farmers' Home Mutual Aid Association, of Fleming county.

3. An act to amend the charter of the town of Glenville, in Adair county, approved March 25, 1872.

4. An act for the benefit of Clinton and Cumberland counties.

5. An act for the benefit of Samuel Cecil, of Clinton county.

6. An act for the benefit of the common school commissioner of Hopkins county.

7. An act to continue in force an act, entitled "An act authorizing the county court of Washington county to increase the county levy," approved January 22, 1874.

8. An act to authorize the purchase of the property of the Red River Iron Manufacturing Company, or organize a new corporation.

9. An act to change the time of holding the Union circuit court.

10. An act to change the time of holding the quarterly court in Anderson county.

11. An act to repeal the several acts increasing the jurisdiction of quarterly and justices' courts in the county of Henderson.

12. An act to amend an act, entitled "An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris."

13. An act for the benefit of the Lawrenceburg and Shryock's Ferry Turnpike Road Company.

14. An act for the relief of the sheriff of Ballard county.

15. An act to amend an act, entitled "An act to amend the charter of the Glasgow Railroad Company," approved 20th March, 1872.

16. An act to amend the charter of the Odd Fellows' Insurance Company of Kentucky, approved 23d February, 1874.

17. An act for the benefit of George F. Green, of Bath county.

18. An act, entitled "An act to amend the road law of Boone county."

19. An act changing the times of holding quarterly courts in Bourbon county.

20. An act regulating the rate of tolls on the Paris and North Middletown Turnpike Road.

21. An act incorporating the Clintonville Cemetery Company, of Bourbon county.

22. An act to incorporate Taylor Lodge, No. 164, of Free and Accepted Masons, of Colemansville, in Harrison county.

23. An act to prevent the sale of spirituous, vinous, or malt liquors within ten miles of the corporate limits of the town of Catlettsburg, Kentucky.

24. An act to charter the Deposit Bank of L. Goodpaster, Sons & Co., of Owingsville, Bath county.

25. Resolution in reference to expired lottery franchises.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 17th, 23d, and 24th to the Committee on Religion and Morals; the 2d and 9th to the Committee on Agriculture and Manufactures; the 3d, 4th, 7th, 8th, 10th, 11th, 12th, 13th, 20th, and 22d to the Committee on Courts of Justice; the 5th and 18th to the Committee on Claims; the 6th to the Committee on Education; the 14th and 21st to the Committee on Internal Improvement; the 15th and 19th to the Committee on Finance; the 16th to the Committee on Railroads; the 25th to the Committee on Banks and Insurance, and the 26th, the resolution, to the Committee on the Judiciary.

The following remonstrances were presented, viz :

By Mr. Hodge—

1. Remonstrance of fifty-seven citizens of Campbell county against the bill to repeal the charter of the Licking River Lumber and Mining Company.



By Mr. Cleveland—

2. Remonstrance of two hundred and eight citizens of Pendleton county against the repeal of the charter of the Licking River Lumber and Mining Company.

By Mr. Briggs—

3. Remonstrance of certain citizens of Washington county against the repeal of the interest law.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on the Judiciary, and the 3d to the Committee on Banks and Insurance.

The Speaker laid before the Senate the remonstrance of the mayor and police judge of the city of Bowling Green.

Which was received, the reading dispensed with, and referred to the Committee on Courts of Justice.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that enrolled bills, which originated in the Senate, of the following titles, viz:

An act to allow the county court of Jessamine to levy a special tax;

An act to relieve the sheriff of Allen county from collecting railroad tax and other purposes;

Had become laws in consequence of not having been returned by the Governor, with objections thereto, within ten days after they were presented to him.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to legalize the proceedings of the Washington county court in regard to the sheriff's bond.

By Mr. Tyler, from the Committee on Military Affairs—

A bill to authorize the sale of muzzle-loading guns in the State Arsenal.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to incorporate the South Covington Fair and Trotting Park Association.

By Mr. Culbertson, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Calloway Agricultural and Mechanical Association.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the last named bill was placed in the orders of the day, and all the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Wright, from the Committee on Agriculture and Manufactures—

1. An act to amend an act, entitled “An act to incorporate the Bowling Green Manufacturing Company,” approved February, 1866.

By same—

2. An act for the benefit of the creditors of the Montgomery and Bath Stock Association.

By same—

3. An act to incorporate the Kentucky Trotting Horse Breeders’ Association.

By same—

4. An act to prevent stock from running at large in Campbell county.

By same—

5. An act to prevent stock from running at large in Boone county.

By same—

6. An act to prevent stock from running at large on turnpike roads in Woodford and Boyle counties.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That the 2d of said bills be committed to the Committee on General Statutes and Codes of Practice, and the others, the last named as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid, except that of the last named bill, which is amended so as to read,

An act to prevent stock from running at large on turnpike roads in Woodford, Boyle, and Garrard counties.

The Senate, according to order, took up for consideration

A bill to amend chapter sixty of the General Statutes, entitled "Interest and Usury."

Mr. Cunningham moved to postpone the consideration of said bill in order to allow the Committee on Agriculture and Manufactures to complete their report.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Andrew J. Ewing,	R. B. Lovel,
James Blackburn,	H. F. Finley,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	C. N. Pendleton,
Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon—22.
P. F. Edwards,		

Those who voted in the negative, were—

Pollock Barbour,	B. W. S. Huffaker,	E. W. Turner,
Thos. J. Barker,	S. H. Jenkins,	H. A. Tyler,
Joseph Gardner,	J. R. Leslie,	C. J. Walton,
James B. Garnett,	D. H. Lindsay,	George Wright—14.
James W. Hays,	P. A. Lyon,	

Mr. Wright, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act for the protection of sheep in the counties of Henderson, Breckinridge, Meade, Ohio, Caldwell, Hancock, McLean, and Daviess,

Reported the same without amendment.

Said bill was then amended.

*Ordered*, That said bill be placed in the orders of the day.

Mr. Edwards moved to suspend the rule in order to allow the Committee on Propositions and Grievances to report a bill.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
P. F. Edwards,	John Hyden,	J. H. Stanley—17.
Andrew J. Ewing,	P. A. Lyon,	

Those who voted in the negative, were—

James Blackburn,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—8.
B. W. S. Huffaker,	H. A. Tyler,	

Mr. Edwards, from the Committee on Propositions and Grievances, to whom was recommitted a bill, which originated in the Senate, entitled

A bill to establish the county of Helm,

Reported the same without amendment.

*Ordered*, That said bill be placed in the orders of the day.

Mr. Tyler, from the Committee on Military Affairs, reported

A bill in relation to the offices of Adjutant and Quarter-Master General.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Adjutant General be, and he is hereby, authorized and directed to turn over to the Quarter-Master General all muster and pay-rolls of troops from Kentucky enlisted for or engaged in any of the wars of the United States.

§ 2. That the Quarter-Master General shall execute his receipt to said Adjutant General for all of said muster and pay-rolls so turned over, and shall thereafter carefully preserve the same in his office; and upon proper application made to him by any soldier whose name is upon said muster or pay-rolls, his widow or children, for any information which said muster or pay-rolls contain about said soldier, shall furnish him, her, or them, under seal of his office, a certificate setting forth the facts.

§ 3. That the Adjutant General shall be allowed and paid out of the Treasury an annual salary of two hundred and fifty dollars.

§ 4. That on the 1st day of March, 1877, the offices of Adjutant General and Quarter-Master General shall be consolidated, and the duties now enjoined by law upon either or both of said officers shall be discharged by a person to be styled the Adjutant General of Kentucky.



§ 5. On and after the 1st day of March, 1877, said Adjutant General shall be allowed and paid out of the Treasury an annual salary of fifteen hundred dollars.

§ 6. Said Adjutant General shall, after March the 1st, 1877, be allowed one clerk, to whom shall be allowed and paid, out of the Treasury, an annual salary of one thousand dollars.

§ 7. He shall be allowed a porter, who shall likewise act as porter for the Register of the Land Office.

§ 8. This act to take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
James Blackburn,	James B. Garnett,	C. N. Pendleton,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
Scott Brown,	James W. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—29.
H. F. Finley,	P. A. Lyon,	

Those who voted in the negative, were—

R. G. Hays, Joseph B. Read—2.

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill to secure the punishment of crime in that part of Kentucky bordering on the State of Tennessee.

*Ordered*, That the further consideration of said bill be postponed till to-morrow, at 11 o'clock.

The Senate, according to order, took up for consideration

A bill to establish a State Board of Health, and to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

*Ordered*, That the further consideration of said bill be postponed till to-morrow at 10½ o'clock.

The Senate, according to order, took up for consideration

A bill regulating practice in civil cases.

Mr. Walton moved to postpone the further consideration of said bill, and the amendment pending, until to-morrow, at 11 o'clock.

And the question, being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James W. Hays,	P. A. Lyon,
Wm. J. Berry,	S. H. Jenkins,	E. W. Turner,
James Blackburn,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—15.

Those who voted in the negative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	C. N. Pendleton,
Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	John Hyden,	Thos. W. Varnon,
James B. Garnett,	Sumner Marble,	W. L. Vories—21.

Mr. Tyler then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cunningham and J. W. Hays, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	F. L. Cleveland,	B. W. S. Huffaker,
Wm. J. Berry,	W. W. Culbertson,	R. B. Lovel,
James Blackburn,	Andrew J. Ewing,	Sumner Marble,
Robert A. Briggs,	H. F. Finley,	C. N. Pendleton,
Scott Brown,	James B. Garnett,	H. A. Tyler—15.

Those who voted in the negative, were—

Thos. J. Barker,	George B. Hodge,	Robert Simmons,
W. A. Cunningham,	John Hyden,	J. H. Stanley,
P. F. Edwards,	S. H. Jenkins,	E. W. Turner,
Joseph Gardner,	J. R. Leslie,	Thos. W. Varnon,
Wm. Cassius Goodloe,	D. H. Lindsay,	W. L. Vories,
Duncan Harding,	P. A. Lyon,	C. J. Walton,
James W. Hays,	Joseph B. Read,	George Wright—22.
R. G. Hays,		

Mr. Goodloe moved that the Senate do now resolve itself into a Committee of the Whole for the purpose of considering said bill.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hodge and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Wm. Cassius Goodloe,	George B. Hodge,	Joseph B. Read,
James W. Hays,	S. H. Jenkins,	E. W. Turner,
R. G. Hays,	D. H. Lindsay,	C. J. Walton—9.

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	P. A. Lyon,
Thos. J. Barker,	H. F. Finley,	Sumner Marble,
Wm. J. Berry,	Joseph Gardner,	C. N. Pendleton,
James Blackburn,	James B. Garnett,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	George Wright—28.
P. F. Edwards,		

Mr. Cunningham moved that the further consideration of said bill be postponed and made the special order of the day for Monday next, the 21st inst., at 10½ o'clock, A. M., and that the clerk of the Joint Committee on Revision of the Code be directed to have prepared and furnish to each Senator a list of all the amendments acted on by the said committee, and of such amendments as Senators now desire to propose.

Which motion was adopted.

The Senate took up for consideration the resolution proposed by Mr. Blackburn on yesterday, entitled

Resolution requiring the president and directors of the Commercial Bank at Paducah to report the condition of said bank.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the officers and directors of the Commercial Bank of Kentucky, at Paducah, are hereby required to report to this General Assembly, without delay, the condition of said bank, who are stockholders in said bank, and the amount of stock held by each, and what dividend (if any) has been declared and paid upon such stock for the years 1874 and 1875.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The Senate took up for consideration the resolution proposed by Mr. Blackburn on yesterday, entitled

Resolution requiring the executive officers of the State to report amount of fees received by them.

[For resolution, see *Senate Journal of February 14, 1876.*]

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Barker moved to suspend the regular orders of the day in order to take up the special order at half-past ten o'clock, passed over, it being

A bill to amend chapter 60 of the General Statutes, entitled "Interest and Usury."

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
Thos. J. Barker,	James W. Hays,	E. W. Turner,
James Blackburn,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—20.
Joseph Gardner,	Sumner Marble,	

Those who voted in the negative, were

Robert A. Briggs,	Wm. Cassius Goodloe,	R. B. Lovel,
Scott Brown,	R. G. Hays,	C. N. Pendleton,
F. L. Cleveland,	George B. Hodge,	Joseph B. Read,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon—14.
P. F. Edwards,	John Hyden,	

The Senate took up for consideration

A bill to protect the general estate of married women.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter it shall not be lawful to mortgage the general estate of a married woman, except to secure the payment of her debts, contracted before marriage, or on account of necessities for herself or any member of her family, her husband included, furnished at her request, evidenced by writing signed by her.

§ 2. This act shall take effect from its passage.

Mr. Cunningham moved to strike out the enacting clause of said bill.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cunningham and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
James Blackburn,	George B. Hodge,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	W. L. Vories,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton,
P. F. Edwards,	R. B. Lovel,	George Wright—20.
H. F. Finley,	Sumner Marble,	

Those who voted in the negative were—

Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
Wm. J. Berry,	Duncan Harding,	C. N. Pendleton,



James D. Black,	Theodore F. Hallam,	John W. Powell,
Orlando C. Bowles,	Allen C. Hagan,	John Preston,
H. H. Brinkley,	Richard P. Hocker,	O. C. Richardson, sr.
Tobias W. Burton,	W. G. Hunter,	Samuel Russell,
James W. Chowning,	John Watts Kearny,	Thomas H. Shanks,
E. A. Coffinan,	Daniel Lary,	M. M. Sloss,
F. G. Cox,	W. Jeff. Lee,	A. H. Smith,
K. R. Culbertson,	Bryan S. McClure,	D. B. Smith,
S. P. Douthitt,	William E. Minor,	George R. Snyder,
Thomas J. Drury,	Thos. J. Montgomery,	Robert Sterrett,
P. H. Duncan,	William A. Moore,	Albert A. Stoll,
W. J. Edrington,	John B. Otten,	W. J. Taylor,
John M. Fish,	Samuel R. Overstreet,	G. W. Winns—52.
A. J. Fleming,		

The absentees were called a second time, and the door of the House was then closed in accordance with the rule of the House.

The following gentlemen were excused for absence, viz: Messrs. Cook, Farmer, Johnson, Jones, Pollard, Campion, and Green Sterrett.

The Clerk then, in accordance with a rule of the House, entered a fine of one dollar each against the following members for absence, viz: Messrs. Allen, Blue, Botts, Bowden, Craddock, Ellis, Emmons, Feland, Ford, Frazee, Gaines, George H. Gardner, Green, Grigsby, Heady, Henry, Henton, Hume, Jenkins, Kitchen, LaRue, Lindsay, Little, Lockhart, Luttrell, McKinney, Megibben, Nelson, Owen, J. N. Price, David Pryse, Robbins, Shaver, Spalding, Spurr, Steele, Stephenson, Richard P. Stoll, Treadway, and Wood.

Mr. Stone moved to dispense with further proceedings under the call.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Hallam moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The following members were then excused for absence, viz: Messrs. Grigsby, Spurr, Little, Johnson, and Richard P. Stoll.

*Ordered*, That the Sergeant-at-Arms take in custody and bring to the bar of the House all members absent without leave.

A warrant was then issued for the absent members, signed by the Speaker, and attested by the Clerk.

Mr. Hallam, at 11:50 o'clock, P. M., moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Snyder and Bowles, were as follows, viz :

Those who voted in the affirmative, were—

Bell G. Bidwell,	J. Warren Grigsby,	William A. Moore,
James W. Chowning,	Theodore F. Hallam,	Chas. Patterson,
K. R. Culbertson,	Richard P. Hocker,	George W. Pickett,
P. H. Duncan,	W. G. Hunter,	D. B. Smith,
A. J. Fleming,	Robert E. Little,	Richard A. Spurr,
W. H. Frederick,	Thos. J. Montgomery,	Robert Sterrett—19.
John D. Gardner,		

Those who voted in the negative, were—

Mr. Speaker (Stone),	Allen C. Hagan,	O. C. Richardson, sr.,
William Berkele,	Thomas Johnson,	Samuel Russell,
James D. Black,	John Watts Kearny,	Thomas H. Shanks,
H. H. Brinkley,	W. Jeff. Lee,	M. M. Sloss,
E. A. Coffman,	Bryan S. McClare,	A. H. Smith,
F. G. Cox,	T. J. Megibben,	George R. Snyder,
S. P. Douthitt,	William E. Minor,	Albert A. Stoll,
Thomas J. Drury,	John B. Otten,	Richard P. Stoll,
W. J. Edrington,	Samuel R. Overstreet,	W. J. Taylor,
John M. Fish,	James M. Payne,	E. B. Treadway,
William L. Grant,	John W. Powell,	G. W. Winns—35.
Robert E. Grinstead,	John Preston,	

Mr. Snyder moved that the Sergeant-at-Arms be allowed an assistant.

Which was adopted.

The Sergeant-at-Arms then presented at the bar of the House Messrs. Allen, Ellis, and J. N. Price, who were arraigned, made excuses, and were excused.

Mr. Minor moved to dispense with the further proceedings under the call.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Lockhart, at 12:25 o'clock, A. M., moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The Sergeant-at-Arms then presented at the bar of the House Messrs. Steele, Gaines, and Treadway, who were arraigned, made excuses, and were excused.

Leave of absence, until 10 o'clock, A. M., February 17, 1876, was granted Messrs. Lary, Burton, Poor, Baker, Sterrett, Richardson, Moore, Shaver, Pickett, Patterson, Montgomery, Steele, A. H. Smith, Powell, D. B. Smith, Blue, and Luttrell.

Leave of absence, indefinitely, was granted Messrs. Allen and Campion.

Mr. Richard P. Stoll moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berkele and Kearny, were as follows, viz :

Those who voted in the affirmative, were—

Bell G. Bidwell,	William L. Grant,	John B. Otten,
H. H. Brinkley,	J. Warren Grigsby,	Thomas H. Shanks,
James W. Chowning,	Richard P. Hocker,	A. H. Smith,
E. A. Coffman,	Thomas Johnson,	D. B. Smith,
W. H. Frederick,	Robert E. Little,	Richard A. Spurr—16.
Joseph A. Gaines,		

Those who voted in the negative, were—

Mr. Speaker (Stone),	Theodore F. Hallam,	David Pryse,
William Berkele,	Allen C. Hagan,	C. W. Robbins,
Orlando C. Bowles,	W. G. Hunter,	Ben. J. Shaver,
F. G. Cox,	John Watts Kearny,	M. M. Sloss,
K. R. Culberston,	G. C. Lockhart,	George R. Snyder,
Thomas J. Drury,	Bryan S. McClure,	John A. Steele,
P. H. Duncan,	T. J. Megibben,	Albert A. Stoll,
W. J. Edrington,	William E. Minor,	Richard P. Stoll,
John Ellis,	Samuel R. Overstreet,	W. J. Taylor,
John M. Fish,	James M. Payne,	E. B. Treadway,
John D. Gardner,	John Preston,	G. W. Winus—35.
Robert E. Grinstead,	J. N. Price,	

The Sergeant-at-Arms then presented at the bar of the House Messrs. Owen, Henton, and Luttrell, who were arraigned, made excuses, and were excused, without fine.

Mr. A. H. Smith moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berkele and Grigsby, were as follows, viz :

Those who voted in the affirmative, were—

Bell G. Bidwell,	Joseph A. Gaines,	George W. Pickett,
H. H. Brinkley,	John D. Gardner,	Samuel Russell,
James W. Chowning,	William L. Grant,	Thomas H. Shanks,
E. A. Coffman,	J. Warren Grigsby,	A. H. Smith,
John M. Fish,	Richard P. Hocker,	D. B. Smith,
W. H. Frederick,	John B. Otten,	Richard A. Spurr—18.

Those who voted in the negative, were—

Mr. Speaker (Stone),	Allen C. Hagan,	James M. Payne,
William C. Allen,	W. G. Hunter,	John W. Powell,
William Berkele,	Thomas Johnson,	John Preston,
James D. Black,	John Watts Kearny,	J. N. Price,
Orlando C. Bowles,	W. Jeff. Lee,	M. M. Sloss,
F. G. Cox,	Robert E. Little,	George R. Snyder,
S. P. Douthitt,	G. C. Lockhart,	Albert A. Stoll,
Thomas J. Drury,	Bryan S. McClure,	Richard P. Stoll,
P. H. Duncan,	T. J. Megibben,	W. J. Taylor,
W. J. Edrington,	William E. Minor,	E. B. Treadway,
John Ellis,	Samuel R. Overstreet,	G. W. Winns—34.
Theodore F. Hallam,		

The Sergeant-at-Arms then presented at the bar of the House Messrs. David Pryse and Robbins, who were arraigned, made excuses, and were excused without fine.

Mr. Little, at 12:50 o'clock, A. M., moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Richard P. Stoll and Bowles, were as follows, viz :

Those who voted in the affirmative, were—

William C. Allen,	W. J. Edrington,	Thomas Johnson,
Bell G. Bidwell,	John M. Fish,	W. Jeff. Lee,
H. H. Brinkley,	L. J. Frazee, jr.,	Robert E. Little,
James W. Chowning,	W. H. Frederick,	John B. Otten,
F. G. Cox,	Joseph A. Gaines,	James M. Payne,
K. R. Culbertson,	John D. Gardner,	Thomas H. Shanks,
S. P. Douthitt,	William L. Grant,	M. M. Sloss,
Thomas J. Drury,	Thomas W. Henton,	Richard A. Spurr,
P. H. Duncan,	Richard P. Hocker,	G. W. Winns—27.

Those who voted in the negative, were—

Mr. Speaker (Stone),	W. G. Hunter,	John Preston,
William Berkele,	John Watts Kearny,	J. N. Price,
James D. Black,	G. C. Lockhart,	David Pryse,
Orlando C. Bowles,	Lucien S. Luttrell,	C. W. Robbins,
John Ellis,	Bryan S. McClure,	George R. Snyder,
J. Warren Grigsby,	T. J. Megibben,	Albert A. Stoll,
Robert E. Grinstead,	Wm. E. Minor,	Richard P. Stoll,
Theodore F. Hallam,	Samuel R. Overstreet,	W. J. Taylor,
Allen C. Hagan,	J. V. Owen,	E. B. Treadway—27.

The Sergeant-at-Arms then presented at the bar of the House Messrs. Frazee and Lockhart, who were arraigned, made excuses, and were excused without fine.



Mr. Hunter, at 1:35 o'clock, A. M., moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Hunter and Albert A. Stoll, were as follows, viz :

Those who voted in the affirmative, were—

William C. Allen,	W. H. Frederick,	John B. Otten,
Bell G. Bidwell,	Joseph A. Gaines,	Thomas H. Shanks—8.
James W. Chowning,	William L. Grant,	

Those who voted in the negative, were—

Mr. Speaker (Stone),	J. Warren Grigsby,	Samuel R. Overstreet,
William Berkele,	Robert E. Grinstead,	James M. Payne,
James D. Black,	Theodore F. Hallam,	John Preston,
Orlando C. Bowles,	Allen C. Hagan,	J. N. Price,
H. H. Brinkley,	Richard P. Hocker,	David Pryse,
F. G. Cox,	W. G. Hunter,	C. W. Robbins,
K. R. Culbertson,	Thomas Johnson,	M. M. Sloss,
S. P. Douthitt,	John Watts Kearny,	George R. Snyder,
Thomas J. Drury,	W. Jeff. Lee,	Richard A. Spurr,
P. H. Duncan,	Robert E. Little,	Albert A. Stoll,
W. J. Edrington,	G. C. Lockhart,	Richard P. Stoll,
John Ellis,	Bryan S. McClure,	W. J. Taylor,
John M. Fish,	T. J. Megibben,	E. B. Treadway,
John D. Gardner,	William E. Minor,	G. W. Winns—42.

Mr. Craddock was then presented by the Sergeant-at-Arms at the bar of the House, was arraigned, and made excuse.

*Ordered*, That he be excused without fine.

Mr. Grant, at 2 o'clock, A. M., moved that the House do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Hallam and Snyder, were as follows, viz :

Those who voted in the affirmative, were—

William Berkele,	L. J. Frazee, jr.,	Robert E. Little,
Bell G. Bidwell,	W. H. Frederick,	William E. Minor,
H. H. Brinkley,	Joseph A. Gaines,	John B. Otten,
James W. Chowning,	John D. Gardner,	J. V. Owen,
F. G. Cox,	William L. Grant,	James M. Payne,
G. W. Craddock,	Thomas W. Henton,	Thomas H. Shanks,
K. R. Culberston,	Richard P. Hocker,	M. M. Sloss,
S. P. Douthitt,	W. G. Hunter,	Richard A. Spurr,
W. J. Edrington,	Thomas Johnson,	G. W. Winns—29.
John M. Fish,	W. Jeff. Lee,	

Those who voted in the negative, were—

Mr. Speaker (Stone),	Allen C. Hagan,	David Pryse,
James D. Black,	John Watts Kearny,	C. W. Robbins,
Orlando C. Bowles,	G. C. Lockhart,	Samuel Russell,
Thomas J. Drury,	Bryan S. McClure,	George R. Snyder,
P. H. Duncan,	T. J. Megibben,	Albert A. Stoll,
John Ellis,	Samuel R. Overstreet,	Richard P. Stoll,
J. Warren Grigsby,	John Preston,	W. J. Taylor,
Robert E. Grinstead,	J. N. Price,	E. B. Treadway—25.
Theodore F. Hallam,		

And then the House adjourned.

#### THURSDAY, FEBRUARY 17, 1876.

Mr. Grigsby offered the following resolution, viz :

*Resolved*, That hereafter smoking within the Chamber or lobbies shall not be permitted.

Which was twice read and adopted.

The following petitions and remonstrance were presented, viz :

By Mr. Grinstead—

1. The petition of sundry citizens of Jefferson county and the city of Louisville, praying the repeal of section 4, chapter 112, General Statutes, and of all special laws that may be in force touching the office of "Sealer of Weights and Measures."

By Mr. Overstreet—

2. The petition of sundry citizens of the county of Jessamine, praying the passage of an act declaring that the Ancient Order of Workmen is not a life insurance company.

By Mr. Hagan—

3. The petition of sundry citizens of Floyd county, praying for the passage of an act allowing them to vote on a proposition to move the county seat of said county.

By Mr. Brinkley—

4. The petition of sundry citizens of Rockcastle, Lincoln, and Pulaski counties, asking the establishment of a new county, &c.

By Mr. Hume—

5. The petition of sundry citizens of Camdenville, praying the passage of an act prohibiting the sale of spirituous, vinous, and malt liquors in said town.

By same—

6. The remonstrance of sundry citizens of Camdenville, protesting against the passage of an act prohibiting the sale of spirituous liquors in said town.

By Mr. Culbertson—

7. The petition of sundry citizens of Lawrence county, praying the passage of an act to change the county lines between the counties of Lawrence and Boyd.

By Mr. Spurr—

8. The petition of sundry citizens of Fayette county, praying the passage of a road law for said county.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on County Courts; the 2d, 3d, 4th, and 7th to the Committee on Propositions and Grievances; the 5th and 6th to the Committee on Moral and Religious Institutions, and the 8th to the Committee on the General Statutes.

A message was received from the Senate, announcing that they had passed bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of the Daily Volksblatt, of Louisville.

An act to authorize the Lawrence county court to levy an additional tax for road and bridge purposes, and for public improvements.

An act for the benefit of Noel Simmons, sheriff of Bullitt county.

And that they had passed bills of the following titles, viz:

1. An act regulating the jurisdiction of the circuit court for the ninth judicial district.

2. An act to provide for the payment of expenses incurred by the Ohio county court in taking care of a pauper idiot.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the House and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be referred—the 1st to the Committee on Circuit Courts, and the 2d to the Committee on Claims.

A message was also received from the Senate, announcing that they had received official information that the Governor had approved and signed sundry enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of John P. Salyer and Augustus Arnett, of Magoffin county.

An act for the benefit of John Wallace, late clerk of the Boone county circuit court.

An act to amend an act, entitled "An act to incorporate the Westport, Carrollton, and Ghent Railway Company."

An act to provide for districting Ohio county into justices' districts.

An act conferring jurisdiction on the Louisville chancery court over the estate of Samuel B. Thomas, deceased, and authority to adjudicate and settle the accounts of the trustee under the will of said Thomas.

An act for the benefit of Thos. H. Spradlin, committee of David Spradlin, an idiot, of Wayne county.

An act to incorporate the Southwestern Railroad Company.

A message was received from the Governor, by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed an enrolled bill, which originated in the House of Representatives, entitled

An act concerning the joint expenses of the county of Jefferson and city of Louisville.

Mr. Campion, from the Committee on County Courts, who were directed to prepare and bring in the same, reported a bill, entitled

An act to change the time of holding the February term of the Henderson quarterly court.

Which was read the first time and ordered to be read a second time.

The rule of the House and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the House and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.



Morris Klanber, Jefferson county.  
John W. Mathews, Henry county.  
T. J. Batman, Jefferson county.  
A. S. Winston, Fayette county.  
Bennett H. Young, Jefferson county.  
Charles Godsham, Jefferson county.  
Walker Kennedy, Jefferson county.  
P. H. King, Henderson county.  
J. W. Nichols, Jefferson county.  
James T. Barbour, Mason county.  
W. D. Cowling, Jefferson county.  
J. M. Withrow, Franklin county.  
A. H. Sinclair, Franklin county.  
L. P. Tarleton, jr., Fayette county.  
James Walwook, Jefferson county.  
John H. Fares, Laurel county.  
Pinckney F. Green, Jefferson county.  
Th. David, Jefferson county.  
D. H. Hughes, Union county.  
William P. Taylor, Fulton county.  
Ed. Meglemery, Jefferson county.  
W. S. Haviland, Harrison county.  
J. F. Dempsey, Hopkins county.  
R. S. Spears, Anderson county.  
J. W. Tilly, Gallatin county.  
John N. Ross, Nicholas county.  
W. J. Davis, Mercer county.  
B. J. Batman, Jefferson county.  
C. L. Dengler, Kenton county.  
C. P. Wilcox, Kenton county.  
W. N. Snowden, Clark county.  
J. B. Martin, Owen county.  
J. B. Hart, Henderson county.  
J. M. Mair, Nelson county.  
J. W. Prewitt, Franklin county.  
J. Fisher, jr., Jefferson county.  
Frank O. Anderson, Jefferson county.  
Joe B. Alves, Henderson county.  
Charles D. Foote, Kenton, Pendleton, Harrison, Campbell, Bracken, and Robertson counties.  
Henry Dent, Jefferson county.  
J. A. Duncan, Owen county.  
G. Dettweiler, Jefferson county.  
J. C. Revill, Owen county.  
John M. Harbison, Bracken county.  
David Willson, Fleming county.  
J. P. Harrison, Kenton county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.  
Mr. Vories read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the sum of ——— dollars is hereby appropriated, to compensate in part and for the encouragement of art and science, Miss Mary O. Murray, for the handsomely executed and framed motto-sentiment, "God bless our Legislature in all its righteous acts." Said motto shall hereafter be kept in the Senate Chamber, suspended as it now is. The Auditor is authorized to draw his warrant in favor of Miss Mary O. Murray to pay the sum hereby appropriated.

Mr. Read moved to fill the blank in said resolution by inserting therein \$25.

Mr. Turner moved to fill said blank by inserting \$15.

Mr. Wright moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The question was then taken on the motion made by Mr. Read to fill the blank with \$25, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	R. G. Hays,	Robert Simmons,
Wm. J. Berry,	George B. Hodge,	E. W. Turner,
James Blackburn,	John Hyden,	H. A. Tyler,
Scott Brown,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	C. N. Pendleton,	W. L. Vories,
Joseph Gardner,	Joseph B. Read,	C. J. Walton—19.
Duncan Harding,		

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	P. A. Lyon,
F. L. Cleveland,	B. W. S. Huffaker,	Sumner Marble,
W. W. Culbertson,	J. R. Leslie,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	George Wright—13.
H. F. Finley,		

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	E. W. Turner,

Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	P. A. Lyon,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	C. J. Walton—26.
Joseph Gardner,	C. N. Pendleton,	

Those who voted in the negative, were—

W. W. Culbertson,	B. W. S. Huffaker,	R. B. Lovel,
W. A. Cunningham,	J. R. Leslie,	George Wright—7.
H. F. Finley,		

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cunningham, from the Committee on Courts of Justice—

An act concerning the joint expenses of the county of Jefferson and city of Louisville, Kentucky.

By Mr. Leslie, from the Committee on Printing—

An act for the benefit of the Daily Volksblatt, of Louisville Kentucky.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill to amend the charter of the Widows' and Orphans' Home of the Methodist Episcopal Church, South, in Kentucky.

By Mr. R. G. Hays, from the Committee on Finance—

A bill for the benefit of the sureties of Jno. F. Tyler, late sheriff of Fulton county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Hodge read and laid on the table the following joint resolution, viz :

WHEREAS, It is evident that in the limited time remaining of the constitutional term, it is impossible that the measures of public importance now before the General Assembly can be acted on, and great detriment to the public service must inevitably result from the failure to perfect them ; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the session of this General Assembly be extended beyond the sixty days to which it is limited by the Constitution.

Which, under the rule, lies one day on the table.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the sureties of John F. Tyler, late sheriff of Fulton county.

An act to amend the charter of the Widows' and Orphans' Home of the Methodist Episcopal Church, South, in Kentucky.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was recommitted

A bill regulating the jurisdiction of the Jefferson circuit court,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the circuit court for the Ninth Judicial District shall, from and after the 1st day of September, A. D. 1876, have original and exclusive jurisdiction of all indictable misdemeanors committed within the corporate limits of the city of Louisville and in the county of Jefferson.

§ 2. From and after the said date of September the 1st, 1876, the said circuit court for the Ninth Judicial District shall hold monthly terms, except for the months of July and August ; said terms to commence on the first Monday of each month, and continue as long as business may require.

§ 3. It shall be the duty of the judge of the circuit court of the Ninth Judicial District, from and after said date of September, 1876, to try any causes which may be assigned to him by the judge of the Jefferson court of common pleas. In the trial and determination of said causes so assigned, he shall be governed by the rules of the said Jefferson court of common pleas ; and all orders and proceedings, trials and judgments before him, shall be as valid as if done before the judge of said court.

§ 4. No action, finding, or decision of the judge of the Jefferson court of common pleas, shall in any cause be set aside, annulled, or modified by the judge of the circuit court ; nor shall any action, finding, or decision of the judge of the said circuit court, in the causes so assigned him, be set aside, annulled, or modified by the judge of the Jefferson court of common pleas, or by the Vice Chancellor. New trials in the causes so assigned to the judge of the circuit court may be granted only by him.

§ 5. It shall not be necessary, in such cause tried by the judge of the said circuit court, that the record shall show that said judge had juris-



diction of said cause; but his jurisdiction shall be conclusively presumed if the Jefferson court of common pleas had jurisdiction to try such cause.

§ 6. An indictment pending in the Louisville city court at the time this act takes effect may be proceeded with to final trial and judgment in said court, or may be, by order of said court, transferred to the said circuit court to be disposed of; and in such cases the original papers and copies of orders made therein shall be forwarded to said circuit court.

§ 7. From and after the 1st day of September, 1876, the county of Jefferson shall constitute the Ninth Circuit Court Judicial District.

§ 8. All other general and special acts and parts of acts in conflict herewith are hereby repealed.

§ 9. That this act shall take effect and be in force from the first day of September, 1876.

Mr. Read moved to amend said bill by striking out the word "exclusive," in the third line of the first section, and insert in lieu thereof the word "concurrent."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. R. G. Hays then moved to amend said bill by adding the following as a proviso to the ninth section thereof, viz:

"*Provided*, That so much of this act as gives exclusive jurisdiction to the Jefferson circuit court of indictable misdemeanors shall not apply to said court until the first day of January, 1878."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Read, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Perry,	James B. Garnett,	P. A. Lyon,
Scott Brown,	Wm. Cassius Goodloe,	C. N. Pendleton,
F. L. Cleveland,	James W. Hays,	Joseph B. Read,
W. W. Culbertson,	R. G. Hays,	J. H. Stanley,
P. F. Edwards,	John Hyden,	E. W. Turner,
Andrew J. Ewing,	S. H. Jenkins,	Thos. W. Varnon—20.
Joseph Gardner,	D. H. Lindsay,	

Those who voted in the negative, were

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Thos. J. Barker,	George B. Hodge,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	H. A. Tyler,
Robert A. Briggs,	J. R. Leslie,	C. J. Walton,
W. A. Cunningham,	R. B. Lovel,	George Wright—16.
H. F. Finley,		

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	D. H. Lindsay,
Wm. J. Berry,	Joseph Gardner,	R. B. Lovel,
James Blackburn,	James B. Garnett,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	C. N. Pendleton,
Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	James W. Hays,	Robert Simmons,
W. W. Culbertson,	R. G. Hays,	J. H. Stanley,
W. A. Cunningham,	George B. Hodge,	E. W. Turner,
P. F. Edwards,	B. W. S. Huffaker,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon—30.

Those who voted in the negative, were—

Thos. J. Barker,	C. J. Walton,	George Wright—4.
S. H. Jenkins,		

*Resolved*, That the title of said bill be amended so as to read

An act regulating the jurisdiction of the circuit court for the 9th judicial district.

The Senate, according to order, took up for consideration

A bill to amend chapter sixty of the General Statutes, entitled "Interest and Usury."

*Ordered*, That the further consideration of said bill be postponed until to morrow at 10½ o'clock.

Mr. Tyler read and laid on the table the following resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the committee of the Senate, composed of E. W. Turner, W. L. Vories, W. A. Cunningham, S. H. Jenkins, C. J. Walton, and H. A. Tyler, to whom was referred the investigation of sundry specific amounts paid out upon sundry warrants drawn by the Auditor, be, and they are hereby, required and directed to inquire into all warrants drawn upon the Treasurer within the past five years, and report to this body all such as they may deem to have been drawn without authority of law, and all the facts connected therewith; also to report, further, whether there are not now suits being prosecuted in the Franklin circuit court and court of appeals, in the name and in behalf of the Commonwealth of Kentucky, by attorneys other than the Attorney General, and if so, by what authority, and upon what conditions, terms, and promises of compensation.

Which, under the rule, lies one day on the table.

The Senate, according to order, took up for consideration

A bill to secure the punishment of crime in that part of Kentucky bordering on the State of Tennessee.

Mr. Tyler withdrew the amendment heretofore proposed by him.

Said bill reads as follows, viz :

WHEREAS, It has been represented to this General Assembly, that for many years past persons committing crimes in counties in Kentucky bordering on the State of Tennessee have escaped punishment by taking refuge across the line in the State of Tennessee, and persons committing crimes in the State of Tennessee have escaped punishment in Tennessee by taking refuge across the line in the State of Kentucky ; now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That when any sheriff or other peace officer, or any other duly authorized agent of the State of Tennessee, shall present to any circuit judge, presiding judge of a county, police judge, or justice of the peace in this Commonwealth, any original warrant, charging any person in this State with the commission of any felony, misdemeanor, or contempt of court, issued by order of any circuit judge, justice of the peace, or other officer or court in the State of Tennessee having jurisdiction to try the case, such judge or justice in this State shall, if the warrant be duly authenticated under the seal of the court issuing the warrant certifying that the justice or other officer issuing the warrant is regularly commissioned and acting thereunder, and that the court or officer issuing the same has authority and jurisdiction to issue such warrant and try the case, such judge or justice in Kentucky to whom such warrant shall be presented shall issue his warrant for the arrest of such alleged offender against the laws of Tennessee.

§ 2. That it shall be the duty of any sheriff, constable, or other officer of the State of Kentucky to whom the warrant shall be delivered, to forthwith arrest such alleged offender, if found in his county, and deliver him for trial before the officer issuing the warrant.

§ 3. That such judge or justice before whom such alleged offender shall be brought for trial, shall determine from the warrant, and such other evidence as may be offered, whether the warrant was issued by an officer in the State of Tennessee having jurisdiction to try the case, and whether the person brought before him for trial is the person charged in the warrant ; and if it appear, upon the trial, that the warrant was issued by a court or officer having jurisdiction of the case, and that the person on trial is the person charged in the warrant, then the court or justice trying the case shall make an order delivering him, and actually deliver him, to the officer or agent of the State of Tennessee.

§ 4. That if the original warrant is accompanied by the certificate of an officer of a court of record, under his seal, or by the seal of a notary public, certifying that the officer or court issuing the original warrant has jurisdiction to try the case, and that the signature of the officer issuing said warrant is genuine, it shall be considered as sufficient evidence to prove the authority and jurisdiction of the court or officer issuing the warrant.

§ 5. That if the court, justice, or officer in the State of Tennessee issuing the original warrant shall designate, in writing on the warrant, some person to receive such alleged offender from the court, judge, or justice in the State of Kentucky, the same shall be sufficient evidence that the person thus designated is the agent of the State of Tennessee.

§ 6. That when the warrant hereinbefore authorized to be issued by a circuit judge, presiding judge of a county, police judge, justice of the peace in this State, is based upon a warrant emanating from a circuit

court, or other court of like or equal jurisdiction in the State of Tennessee, the fees of the officers for services rendered under this act shall be paid out of the Treasury of Kentucky, and shall be the same as now allowed by law in similar cases under the laws of this State: *Provided*, That the officers hereinbefore mentioned shall not be compelled to perform any duty required of them by this act when warrants other than those emanating from a circuit court, or court of like jurisdiction, are issued, unless the probable fees and costs of officers for the arrest and trial of such alleged offender is deposited with the judge or justice before whom application is made for the warrant of arrest hereinbefore required to be issued: *Provided*, That if such alleged offender shall not be arrested, the money so deposited with the judge or justice shall be refunded to the person making the deposit.

§ 7. That it shall be the duty of the Governor of this Commonwealth, immediately after the passage of this act, to cause to be transmitted to the Governor of the State of Tennessee a duly authenticated copy of this act, with a request that the Legislature of the State of Tennessee pass an act containing similar provisions for the arrest and surrender of persons who may escape from Kentucky, and have taken refuge in Tennessee, to avoid trial and punishment for offenses committed against the laws of Kentucky.

§ 8. This act shall take effect and be in force ninety days after the Secretary of State for Kentucky shall have published, in the Kentucky Yeoman, Courier-Journal, Louisville Commercial, Mountain Echo, and Somerset Reporter, a notice to the effect that the Governor of Tennessee has filed with the Secretary of State of Kentucky a certified copy of an act of the Legislature that the State of Tennessee has passed an act as requested in the foregoing section.

Mr. Finley moved to amend said bill by striking out all from the word "provided," in the 7th line of the 6th section, down to and including the word "issued," in the 9th line, and insert in lieu thereof the following, viz:

"Provided the officers of this State hereinbefore mentioned shall not be compelled to perform any duty required of them by this act, except in cases where the original warrant charges a filing, or where the original warrant issues from some circuit court, or court of like jurisdiction, in the State of Tennessee."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Blackburn moved to amend said bill by inserting after the word "person," in the 5th line of the 1st section, the words "not a citizen of."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Pendleton moved to amend section 8 of said bill by adding after the word "Reporter," in the 3d line thereof, the following:



“Hopkinsville Democrat, Kentucky New Era, the Southwest, Hickman Courier, Mayfield Democrat, State Line News, Mayfield Monitor, Trigg County Democrat, and Murray Gazette.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Briggs moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	James B. Garnett,	P. A. Lyon,
W. A. Cunningham,	Duncan Harding,	C. N. Pendleton,
P. F. Edwards,	S. H. Jenkins,	J. H. Stanley—9.

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	George B. Hodge,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—25.
Joseph Gardner,		

Mr. Garnett moved to amend said bill by adding the following as an additional section, viz :

“The provisions of this bill shall also apply with like effect as to the States of Ohio, Indiana, Illinois, Missouri, Virginia, and West Virginia.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Tyler moved to strike out the enacting clause of said bill.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	R. G. Hays,	C. N. Pendleton,
W. A. Cunningham,	George B. Hodge,	Robert Simmons,
P. F. Edwards,	S. H. Jenkins,	J. H. Stanley,
James B. Garnett,	P. A. Lyon,	H. A. Tyler—15.

Those who voted in the negative, were—

Thos. J. Barker,	H. F. Finley,	D. H. Lindsay,
Wm. J. Berry,	Joseph Gardner,	R. B. Lovel,
James Blackburn,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	James W. Hays,	Thos. W. Varnon,
F. L. Cleveland,	B. W. S. Huffaker,	W. L. Vories,
W. W. Culbertson,	J. R. Leslie,	George Wright—19.
Andrew J. Ewing,		

Mr. Pendleton then moved to amend said bill by adding thereto the following, as an additional section, viz :

“The provisions of this bill shall not apply to the counties in the 6th and 4th Senatorial districts.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cunningham and Pendleton, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	E. W. Turner,
F. L. Cleveland,	R. G. Hays,	Thos. W. Varnon,
W. W. Culbertson,	B. W. S. Huffaker,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—17.
Joseph Gardner,	Joseph B. Read,	

Those who voted in the negative were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	C. N. Pendleton,
Robert A. Briggs,	George B. Hodge,	Robert Simmons,
Scott Brown,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler—19.
P. F. Edwards,		

So said bill was rejected.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of John P. Salyer and Augustus Arnett, of Magoffin county.

An act for the benefit of John Wallace, late clerk of Boone county circuit court.

An act to amend an act, entitled "An act to incorporate the Westport, Carrollton, and Ghent Railway Company."

An act to provide for districting Ohio county into justices' districts.

An act conferring jurisdiction on the Louisville chancery court over the estate of Samuel B. Thomas, deceased, and authority to adjudicate and settle the accounts of the trustee under the will of said Thomas.

An act for the benefit of Thomas H. Spradlin, committee for David Spradlin, an idiot, of Wayne county.

An act to incorporate the Southwestern Railroad Company.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined an enrolled bill, which originated in the House of Representatives, of the following title, viz :

An act concerning the joint expenses of the county of Jefferson and city of Louisville, Kentucky.

And bills, which originated in the Senate, of the following titles, viz :

An act to amend the charter of the Widows and Orphans' Home of the Methodist Episcopal Church, South, in Kentucky ;

An act to amend chapter 28, article 18, title "Courts," of the General Statutes ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

## THURSDAY, FEBRUARY 17, 1876.

A message was received from the House, of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Thomas J. Smith, sheriff of Ohio county.

An act to legalize the action of the Livingston county court at its October term, 1872.

An act to amend an act incorporating the town of Grayson, Carter county, approved 22d February, 1860.

An act to reduce into one all the acts relating to the city of Owensboro.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act to provide for adjusting conflicting titles to Mineral Spring, in Boone county.

2. An act for the benefit of the Alexandria and Persimmon Grove Turnpike Company, in Campbell county.

3. An act to incorporate the Kentucky Oil, Pipe, Mining and Transportation Company.

4. An act to incorporate the Centennial Building and Savings Association, of Covington, Kentucky.

5. An act to prevent the sale of spirituous, malt, or vinous liquors within one mile of the court-house in the town of Columbia.

6. An act to authorize the city of Covington to erect a free bridge over the Ohio river.

7. An act to protect the Newport and Covington Bridge Company.

8. An act to incorporate the Bank of Woodford, at Versailles, Kentucky.

9. An act for the benefit of S. I. M. Major and Waller Overton.

10. An act to amend an act, entitled "An act to amend an act to incorporate the Second Presbyterian Church of the city of Louisville."

11. An act for the benefit of David Pryse, of Lee county.

12. An act for the benefit of Wm. Thomas, sheriff of Lee county.

13. An act to incorporate the Mouth of Tate's Creek Turnpike Road Company.



14. An act to incorporate the Antioch and Houston Turnpike Road Company.

15. An act for the benefit of James Payne, sheriff of Fleming county.

16. An act for the benefit of common school district No. 28, of Metcalfe county.

17. An act to authorize the city council of Frankfort to build a free bridge across the Kentucky river.

18. An act for the benefit of Wm. D. Berry, of Hickman county.

19. An act for the benefit of Hickman county.

20. An act to revise and amend the charter of the city of Dayton, in Campbell county.

21. An act to amend an act, entitled "An act to incorporate the town of Webster, in Crittenden county."

22. Resolution to provide for revision of revenue laws.

23. An act authorizing the employing and hiring of convicts to work out of the penitentiary.

24. An act to change the time of holding the February term of the Henderson quarterly court.

25. Resolution appropriating money to defray the expenses of the contested election case of Prichard vs. Culbertson, and for other purposes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 6th, 7th, 17th, 20th, and 21st to the Committee on the Judiciary; the 2d, 13th, and 14th to the Committee on Internal Improvement; the 3d to the Committee on Agriculture and Manufactures; the 4th and 8th to the Committee on Banks and Insurance; the 5th and 10th to the Committee on Religion and Morals; the 9th and 24th to the Committee on Courts of Justice; the 11th, 18th, 19th, and 25th to the Committee on Claims; the 12th, 15th, and 22d to the Committee on Finance; the 16th to the Committee on Education, and the 23d to the Committee on the Penitentiary.

The following petitions and remonstrances were presented, viz:

By Mr. Edwards—

1. Petition of citizens of Edmonson county, praying for an appropriation to remove obstructions, &c., from Green river.

By Mr. Lindsay—

2. Petition of sundry citizens residing near Big Eagle creek, praying for the protection of fish in said stream.

By Mr. Brown—

3. Petition of certain citizens of the 7th judicial district, asking the passage of a law creating the office of phonographic reporter for said district.

By Mr. Goodloe—

4. Remonstrance of citizens of Fayette county against the repeal of the charter of the Licking River Lumber and Mining Company.

By Mr. Gardner—

5. Remonstrance of sundry citizens of Breathitt county against the formation of the county of Helm.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Fish Culture; the 3d and 4th to the Committee on the Judiciary, and the 5th to the Committee on Propositions and Grievances.

A message was also received from the House of Representatives, announcing that they had passed a bill, entitled

An act to regulate the time of holding the circuit courts in the 2d judicial district.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to amend chapter 28, article 18, title "Courts," General Statutes."

An act to amend the charter of the Widows and Orphans' Home of the Methodist Episcopal Church, South, in Kentucky.

An act for the construction and completion of turnpike roads in Robertson county.

Mr. Hodge, rising to a question of privilege, read an article in the Cincinnati Enquirer containing certain charges against him as a Senator, and asked that a committee be appointed to investigate said charges.

Mr. Goodloe moved that a committee of three be appointed to take said matter under advisement and consideration.

Which motion was adopted.

The Speaker then appointed Messrs Goodloe, J. W. Hays, and Tyler said committee.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to authorize the Lawrence county court to levy an additional tax for road and bridge purposes, and for public improvement.

By Mr. Goodloe, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Richmond, Irvine and Three Forks Railroad," approved February 28, 1873.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Berry, from the Committee on Appropriations, reported

A bill to provide for the payment of expenses incurred by the Ohio county court in taking care of a pauper idiot.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Jacob Hawes, a pauper, was, by a legal inquest, found to be an idiot, and was, by the proper authority, given to the custody of a committee, and afterward was given up by said committee; and whereas, the Ohio circuit court, by order, directed the judge of the Ohio county court to act as committee for said Jacob Hawes, who had him cared for at the

expense of Ohio county from the 11th of January, 1874, till the 15th of July, 1875, when said pauper died; and whereas, the Ohio circuit court allowed, and ordered to be certified to the Auditor for payment, the claim of said committee from January 11th, 1874, till July 15th, 1875, at the rate of \$75 per annum, and also for \$10, the burial expenses of said Jacob Hawes; and whereas, the Auditor declined paying said allowances; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer in favor of W. F. Gregory, county judge of Ohio county, for the sum of one hundred and twenty-two dollars and fifty cents, for the use and benefit of said county in payment of said claim.

§ 2. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Wm. J. Berry,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	C. N. Pendleton,
Scott Brown,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—33.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Goodloe, from the select committee appointed to take into consideration certain charges concerning the Hon. George B. Hodge, Senator from the 25th district, reported the following resolution, viz :

*Resolved*, That the committee of investigation asked for by the Senator from Campbell concerning statements contained in the Cincinnati Enquirer of February 16, personal to himself, be not appointed, for the reason that no specific charge has been made upon which the Senate could base its action, and the affidavits alleged to have been forwarded are not in the possession of any officer of the State or member of the General Assembly. The Senate will, however, at any time order an investigation, thorough and searching, upon questions affecting the official conduct of any Senator when presented in a responsible and specific form.

2. The Senate has perfect and undiminished confidence in the personal and official integrity and unswerving and incorruptible honor of the Senator from Campbell, and it deems the insinuation against him completely controverted and shown to be groundless by the terms of the statement made in the article to which the Senate's attention has been called.

Which was unanimously adopted.



The Speaker laid before the Senate the responses of the State Treasurer, Quarter-Master General, Attorney General, and Register of the Land Office, to a resolution calling on the executive officers of the State to report the amount of fees received by them or their predecessors in office in 1874 and 1875.

Said responses read as follows, viz :

RESPONSE OF ATTORNEY GENERAL.

STATE OF KENTUCKY,  
ATTORNEY GENERAL'S OFFICE,  
FRANKFORT, Feb. 16, 1876. }

*To the Honorable Senate of Kentucky :*

MR. SPEAKER: In response to your resolution, I respectfully submit the following :

By way of compensation for services rendered, the Attorney General is allowed two per cent. upon the amount received into the Treasury upon all judgments rendered in the fiscal court in favor of the Commonwealth. (See section 4, article 5, chapter 5, of the General Statutes, page 153.)

"Upon the affirmance, \* \* on the appeal of the defendant, an attorney's fee of twenty dollars shall be taxed, \* \* to be equally divided between the Attorney General and the attorney for the Commonwealth."

"And upon the reversal, \* \* upon an appeal by the plaintiff, a fee of five dollars."

"Where the execution of the judgment for a fine is suspended, \* \* upon an affirmance, \* \* damages at the rate of ten per cent. shall be awarded; \* \* one fourth of which shall be for the use of the Attorney General." (See sections 350 and 352 of the Criminal Code.)

The amount of the two per cent. allowed in the fiscal court is not to be estimated upon the amount of revenue which should be, but is not, paid into the Treasury each year, but depends entirely on the amount *collected upon* those judgments, *and* upon whether or not the Auditor is pleased to have suits or motions instituted against defaulters.

To this date I have received for services in attending to over one hundred cases in the court of appeals fifty-five dollars.

The Auditor has placed in my hands, and motions have been entered thereon, the bonds of eight sheriffs, one county clerk (two cases), one trustee of the jury fund, and one collector, under act 28th January, 1869.

I have not charged any fees allowed by sections 350 and 352 of the Criminal Code, or the two per cent. upon the revenue in arrears upon the above bonds, *because* I have not, and do not, consider the prospect of collection worth the trouble of charging them on my books.

In regard to fees charged and received by my predecessor, I cannot possibly do more than refer you to pages 34 and 432 of the last report of

the Auditor, which show he received, for 1874, \$1,590 42, and, for 1875, \$1,800.

I have the honor to be, very truly, your obedient servant,

THOMAS E. MOSS,  
*Attorney General of Kentucky.*

RESPONSE OF TREASURER.

STATE OF KENTUCKY.

TREASURER'S OFFICE,  
FRANKFORT, Feb. 16, 1876. }

HON. JOHN C. UNDERWOOD,

*Lieutenant Governor and Speaker of the Senate:*

In reply to a resolution adopted by the Senate on the 15th inst., I would respectfully state:

That my salary as State Treasurer is \$2,400 (see General Statutes, chapter 95, section 1, title "Salaries"), and by an act approved 14th March, 1870, the Treasurer is allowed the sum of \$600 for services required of him by "An act for the incorporation and regulation of Life Insurance Companies," to be paid in the same manner, and out of the same fund, which the Insurance Commissioner is paid. Beyond this, I receive no fees or compensation of any kind.

Very truly,

JAMES W. TATE, *Treasurer.*

RESPONSE OF REGISTER OF LAND OFFICE.

STATE OF KENTUCKY,

LAND OFFICE,  
FRANKFORT, Feb. 17, 1876. }

HON. JOHN C. UNDERWOOD, *Speaker of the Senate:*

In compliance with a resolution passed by the Senate February 15, 1876, requiring the various executive officers to report to the Senate what compensation, by way of fees or otherwise, they charge or receive, or were charged and received by them or their predecessors in office during the years of 1874 and 1875, for their services, beyond their regular salaries, I submit the following for the information of the Senate, viz:

My salary is \$166 33 $\frac{1}{3}$  per month, or two thousand dollars per annum. (See chapter 95, General Statutes.) I am not allowed by law any fees for my services, nor do I charge or receive any. If my predecessor charged or received fees beyond his salary, there is no record of it in this office.

Very respectfully,

T. D. MARCUM,  
*Register Land Office.*

## RESPONSE OF QUARTER-MASTER GENERAL.

STATE OF KENTUCKY,  
OFFICE OF QUARTER-MASTER GENERAL, }  
FRANKFORT, Feb. 17, 1876. }

*Gentlemen of the Senate:*

In response to the following resolution, viz:

"*Resolved by the Senate of Kentucky, That the various executive officers shall report to the Senate, without delay, what compensation, by way of fees or otherwise, they charge or receive, or were charged and received by them or their predecessors in office during the years 1874 and 1875, for their services, beyond their regular salaries.*" (Adopted in Senate, February 15th, 1876)—

I have the honor to state, that my salary as Quarter-Master General of Kentucky is \$2,400 per annum, as prescribed in chapter 95, section 1, of the General Statutes, title "Salaries." There are no fees or perquisites attached to this office, and I have never charged or received any thing in the way of fees or compensation, directly or indirectly, since my appointment, October 2, 1867.

Very respectfully,

FAYETTE HEWITT,

*Quarter-Master General of Kentucky.*

By W. G. LOBBAN, *Chief Clerk.*

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to repeal an act to incorporate the town of Roaring Springs, in Trigg county;

An act to incorporate the Kentucky Trotting Horse Breeders' Association;

An act to prevent stock from running at large on turnpike roads in Woodford, Boyle, and Garrard counties;

An act to prevent stock from running at large in Campbell county;

Resolution to appoint joint committee to report as to propriety of building new stable for Governor's Mansion;

And bills, which originated in the Senate, of the following titles, viz:

An act establishing a bank of deposit in the town of Grayson, Carter county;

An act for the benefit of the sureties of John F. Tyler, late sheriff of Fulton county;

An act for the benefit of Stephen Nethercutt, late sheriff and collector of the revenue for Carter county;



An act for the benefit of James L. Webb, assessor of Boyle county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Varnon—

1. A bill to amend section 5, article 3, chapter 92, General Statutes.

On motion of same—

2. A bill for the benefit of the sheriff of Lincoln county.

On motion of same—

3. A bill to amend article 35 of General Statutes.

On motion of Mr. Ewing—

4. A bill for the benefit of the Mt. Sterling and Owingsville Turnpike Road Company.

On motion of Mr. Leslie—

5. A bill to incorporate the Sand Lick Baptist Church, in Monroe county.

On motion of same—

6. A bill for the benefit of J. E. Mulkey, sheriff of Monroe county.

On motion of Mr. Berry—

7. A bill to establish a criminal court in the counties of Meade, Breckinridge, Grayson, Hancock, Daviess, and Ohio.

On motion of Mr. Barker—

8. A bill to regulate the time of holding circuit courts in the counties of Spencer and Oldham.

On motion of Mr. Brown—

9. A bill to create the office of phonographic reporter for the 7th judicial district of Kentucky.

On motion of Mr. Simmons—

10. A bill to donate to the counties of Kenton and Boone the interest of the State in that part of the Covington and Lexington Turnpike Road which lies in the said counties of Kenton and Boone respectively.



On motion of Mr. Hyden—

11. A bill for the benefit of James Turner, late county judge of Perry county.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, 2d, and 3d; the Committee on Internal Improvement the 4th; the Committee on Religion and Morals the 5th; the Committee on Courts of Justice the 6th; the Committee on Propositions and Grievances the 7th; the Committee on the Judiciary the 8th, 9th, and 10th, and the Committee on Claims the 11th.

The Senate, according to order, took up for consideration

A bill to amend chapter 60 of the General Statutes, entitled "Interest and Usury."

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter the legal rate of interest shall be at the rate of six dollars upon one hundred dollars for a year, and at the same rate upon a greater or smaller sum of money, or for a longer or shorter time, and that no bank or other incorporated institution or person shall, directly or indirectly, charge or receive a greater amount of interest than is herein provided for; and that no bank or other incorporated company or person shall, directly or indirectly, charge or receive a greater amount of interest, including exchange and discount, than at the rate of six per cent. per annum on any bill, bond, or note, or other obligation, discounted or purchased by it or him.

§ 2. Any and all contracts made in contravention of the first section hereof shall be deemed usurious, and shall be void, to the extent of all the interest reserved or provided for by such usurious contract; and no recovery shall be had thereon beyond the amount of the principal loaned.

§ 3. If any rate of interest exceeding the rate of interest authorized by the first section hereof shall be intentionally charged, reserved, agreed upon, or received, the whole of such interest shall be forfeited; and if any such interest be recovered, or directly or indirectly be taken or received, the same may be, by the payer thereof, recovered by action from the lender or forbearer; and if the assignee of such lender or forbearer shall knowingly receive such interest, the same may be recovered by action, by the payer thereof, from such assignee.

§ 4. If the lender, in any contract which is usurious within the meaning of this act, or his assignee, refuse, before suit brought, a tender of the principal without interest, he may recover, in any suit brought on such contract or assurance, the principal, but shall pay the costs of such suit.

§ 5. This act, or anything herein contained, shall not affect any contract heretofore made, or any right growing out of such contract.

§ 6. All laws in conflict herewith are, to the extent of such conflict, hereby repealed.

§ 7. This act shall take effect twenty days after its passage:

Mr. Cleveland moved to postpone the further consideration of said bill until after the call of the standing committees was completed.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	Wm. Cassius Goodloe,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley—8.
P. F. Edwards,	R. B. Lovel,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	E. W. Turner,
Robert A. Briggs,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—28.
Joseph Gardner,		

The hour of 11 o'clock, A. M., having arrived, further action on said bill was cut off by the special order of the day set for that hour, it being

A bill authorizing the employing and hiring the convicts to work out of the penitentiary.

Mr. Turner moved to postpone the consideration of said special order until after the bill now under consideration was disposed of.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cleveland and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	B. W. S. Huffaker,	E. W. Turner,
Robert A. Briggs,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—26.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Scott Brown,	Wm. Cassius Goodloe,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	Thos. W. Varnon—11.
P. F. Edwards,	R. B. Lovel,	

And the Senate resumed the consideration of said bill, entitled

A bill to amend chapter sixty of the General Statutes, entitled  
"Interest and Usury."

Mr. R. G. Hays moved to refer said bill to a select committee to be elected by the Senate.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	Wm. Cassius Goodloe,	R. B. Lovel,
F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,
P. F. Edwards,	B. W. S. Huffaker,	Thos. W. Varnon—14.
H. F. Finley,	John Hyden,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	James W. Hays,	E. W. Turner,
James Blackburn,	S. H. Jenkins,	H. A. Tyler,
Robert A. Briggs,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton,
Andrew J. Ewing,	P. A. Lyon,	George Wright—23.
Joseph Gardner,	Sumner Marble,	

The hour of 12 o'clock, M., having arrived, Mr. Cleveland raised the point of order that further action on said bill was cut off by bills in the regular orders of the day.

The Speaker decided that the bill under consideration, being a special order of the day, had precedence over bills in the regular orders of the day.

From which decision Mr. Cleveland appealed to the Senate.

Said appeal is as follows, viz :

"Twelve o'clock having arrived, and the Senate having under consideration a special order, the Speaker decided that the special order is an order of the day, and, as an order of the day, has priority over other orders of the day ; from which decision the Senator from Bracken appeals."

And the question being taken, "Shall the decision of the Chair stand as the sense of the Senate?" it was decided in the affirmative.

Mr. Goodloe proposed to amend said bill by adding thereto the following proviso, viz :

"*Provided*, That the provisions of this act shall not apply to the county of Fayette."

Pending the consideration of which amendment, the hour of two o'clock, P. M., having arrived, the regular hour for adjournment, further action thereon was cut off.

And then the Senate adjourned.

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FRIDAY, FEBRUARY 18, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, entitled

An act to refund to J. E. Abbott, administrator of D. C. Doran, certain damages paid to the State.

An act to incorporate the Southern Baptist Theological Seminary.

An act to amend an act to incorporate Louisville Presbyterian Orphans' Home Society, approved February 23, 1849, and March 10, 1870.

Resolution appropriating \$5,000 for Centennial purposes.

An act concerning the joint expenses of the county of Jefferson and city of Louisville, Kentucky.

That they had passed a bill, which originated in the Senate, entitled

An act to provide for continuing the Geological and other Surveys of the State of Kentucky.

That they had refused to concur in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Covington and Lexington Turnpike Road Company.



The following petitions and remonstrance were presented, viz :

By Mr. Berry—

1. Petition of sundry citizens of Harlan county, praying for the passage of a law to improve the Cumberland river.

By same—

2. Petition of citizens of Morgantown, asking for the passage of a law for the benefit of said town.

By Mr. Cleveland—

3. Petition of John L. Orr.

By Mr. Blackburn—

4. Petition of the Order of United Workmen, of Woodford county, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

By Mr. Barker—

5. Petition of the Order of United Workmen, of Shelby county, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

By Mr. Vories—

6. Petition of the Order of United Workmen, of Henry county, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

By Mr. Goodloe—

7. Petition of the Order of United Workmen, of Fayette county, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

By Mr. Marble—

Remonstrance of 53 ladies of Caldwell county against the repeal of the local option law.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Internal Improvement; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on General Statutes and Codes of Practice; the 4th, 5th, 6th, and 7th to the Committee on Banks and Insurance, and the 8th to the Committee on Religion and Morals.

Leave was given to bring in the following bills, viz :

On motion of Mr. Hyden—

1. A bill for the benefit of Stephen Gibson, former sheriff of Clay county.

On motion of Mr. Tyler—

2. A bill to make taxation equal and uniform in counties where no ad valorem tax is levied by the county court.

On motion of same—

3. A bill to provide for the enforcement of judgment and execution against railroad companies in this State.

*Ordered*, That the Committee on Finance prepare and bring in the 1st, and a select committee, consisting of Messrs. Tyler, Blackburn, and Jenkins, the 2d and 3d.

Mr. Simmons moved the following resolution, viz :

*Resolved*, That the Senate will hereafter hold night sessions, beginning to-night at half-past seven o'clock, and meeting each succeeding night (Sundays excepted) at the same hour during the remainder of the present session, if the business requires it, for the calling of the regular standing committees for reports.

Mr. Turner moved to amend said resolution by striking word "to-night," and inserting in lieu thereof the words "Monday night next."

Which was adopted.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and R. G. Hays, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	John Hyden,	J. H. Stanley,
Robert A. Briggs,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,
W. W. Culbertson,	R. B. Lovel,	C. J. Walton,
W. A. Cunningham,	P. A. Lyon,	George Wright—25.
Andrew J. Ewing,		

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
P. F. Edwards,	James W. Hays,	C. N. Pendleton,
H. F. Finley,	R. G. Hays,	Thos. W. Varnon—11.
Joseph Gardner,	B. W. S. Huffaker,	

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of James V. Payne, sheriff of Fleming county.

By Mr. Jenkins, from the Committee on Courts of Justice—

An act to allow the voters of Marshall county to vote on the question of removing the county seat of Marshall county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act to repeal the charter of the Louisville, Memphis, and New Orleans Railroad.

By Mr. Hodge, from the Committee on Railroads—

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad."

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Berry, from the Committee on Propositions and Grievances—

A bill to establish a criminal court in the counties of Daviess, Hancock, Ohio, Meade, Grayson, and Breckinridge.

By Mr. Tyler, from the Committee on the Judiciary—

A bill authorizing the justice of the peace nearest court-house in Mayfield, Graves county, to act as county judge during vacancy.

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill to incorporate the Green River Female Seminary.

By Mr. Garnett, from the Committee on the Judiciary—

A bill authorizing the county court of Trigg county to increase the county levy.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the first named bill was referred to the Committee on Courts of Justice, with instructions to report on Monday next, the 21st inst., at 10½ o'clock, A. M., and from day to day until disposed of, and all the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the sureties of John F. Tyler, late sheriff of Fulton county.

An act for the benefit of Stephen Nethercutt, late sheriff and collector of the revenue for Carter county.

An act establishing a bank of deposit in the town of Grayson, Carter county.

An act for the benefit of James L. Webb, assessor of Boyle county.

The Speaker laid before the Senate the responses of the Superintendent of Public Instruction and Adjutant General to a resolution calling on the executive officers of the State to report the amount of fees received by them or their predecessors in office in 1874 and 1875.

Said responses read as follows, viz :

RESPONSE OF SUPERINTENDENT OF PUBLIC INSTRUCTION.

STATE OF KENTUCKY,  
OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }  
FRANKFORT, Feb. 18, 1876. }

HON. JOHN C. UNDERWOOD,

*Lieutenant Governor and Speaker of the Senate :*

In response to a Senate resolution requiring the heads of State Departments to report what compensation they receive, I state that my salary, as provided for in article 4, of chapter 18, General Statutes, is three thousand dollars per annum. Instead of receiving any fees or perquisites, the duties of my position, if well performed, require frequent visits to different parts of the educational field. No provision is made for the traveling expenses of the Superintendent, and I have expended, annually, from four hundred to seven hundred dollars in attendance upon Teachers' Associations and Institutes, and responses to invitations to address communities in which special educational interest had been awakened or there existed a desire to excite it.

Obediently,

HOWARD A. M. HENDERSON,  
*Sup't Public Instruction.*



## RESPONSE OF ADJUTANT GENERAL.

ADJUTANT GENERAL'S OFFICE,  
FRANKFORT, Feb. 17, 1876. }

HON. JOHN C. UNDERWOOD, *Speaker of the Senate*:

SIR: In response to a Senate resolution of inquiry as to the fees of various State officers, a copy of which was this day transmitted to me by the Chief Clerk of the Senate, I have the honor to report that during my term of office I have not charged or received any compensation, by way of fees or otherwise, for my services beyond my regular salary.

I entered upon the duties of my office on September 4, 1875. There are no records in my office showing what compensation my predecessor received during the years 1874 and 1875; but as the law allowed the Adjutant General no compensation beyond his regular salary during that time, it is to be presumed that my predecessor did not charge or receive any compensation, by fees or otherwise, for his services as Adjutant General during the period covered by the resolution.

Very respectfully,

J. M. WRIGHT, *Adjutant General*.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent stock from running at large in Boone county;

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company," approved February, 1866;

And bills, which originated in the Senate, of the following titles, viz:

An act to amend an act incorporating the town of Grayson, Carter county, approved 22d February, 1860;

An act for the benefit of Thomas J. Smith, sheriff of Ohio county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, resumed the consideration of

A bill to amend chapter sixty of the General Statutes, entitled "Interest and Usury,"

Together with the amendment proposed by Mr. Goodloe, pending at the hour of adjournment on yesterday.

Said amendment reads as follows, viz :

"*Provided*, That the provisions of this act shall not apply to the county of Fayette."

Mr. Tyler moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	E. W. Turner,
Thos. J. Barker,	James B. Garnett,	H. A. Tyler,
Wm. J. Berry,	S. H. Jenkins,	Thos. W. Varnon,
James Blackburn,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	C. N. Pendleton,	George Wright—15.

Those who voted in the negative, were—

Robert A. Briggs,	Duncan Harding,	P. A. Lyon,
Scott Brown,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	George B. Hodge,	Robert Simmons,
W. A. Cunningham,	B. W. S. Huffaker,	J. H. Stanley,
P. F. Edwards,	John Hyden,	G. W. Swoope,
H. F. Finley,	D. H. Lindsay,	W. L. Vories—23.
Wm. Cassius Goodloe,	R. B. Lovel,	

The question was then taken on the adoption of the amendment proposed by Mr. Goodloe, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	R. G. Hays,	R. B. Lovel,
F. L. Cleveland,	George B. Hodge,	Sumner Marble,
W. W. Culbertson,	B. W. S. Huffaker,	Joseph B. Read,
P. F. Edwards,	John Hyden,	Thos. W. Varnon—13.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	James W. Hays,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Robert A. Briggs,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
H. F. Finley,	C. N. Pendleton,	George Wright—25.
Joseph Gardner,		

Mr. Finley moved to amend the second line of the first section of said bill by striking out the word "six" wherever it occurs, and also to amend said bill by striking out the 3d and 4th sections thereof.

At fifteen minutes past two o'clock, P. M., Mr. Tyler moved to postpone the regular hour of adjournment for one hour.

Mr. Swoope moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	H. F. Finley,	John Hyden,
Scott Brown,	James B. Garnett,	R. B. Lovel,
F. L. Cleveland,	R. G. Hays,	C. N. Pendleton,
W. W. Culbertson,	George B. Hodge,	Joseph B. Read,
W. A. Cunningham,	B. W. S. Huffaker,	W. L. Vories—16.
P. F. Edwards,		

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	J. H. Stanley,
Thos. J. Barker,	S. H. Jenkins,	G. W. Swoope,
Wm. J. Berry,	J. R. Leslie,	E. W. Turner,
James Blackburn,	D. H. Lindsay,	H. A. Tyler,
Andrew J. Ewing,	P. A. Lyon,	Thos. W. Varnon,
Joseph Gardner,	Sumner Marble,	C. J. Walton,
Wm. Cassius Goodloe,	Robert Simmons,	George Wright—22.
Duncan Harding,		

Mr. Goodloe then moved a call of the Senate.

And the question being taken, "Shall a call of the Senate be now ordered?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	H. F. Finley,	R. G. Hays,
P. F. Edwards,	Wm. Cassius Goodloe,	R. B. Lovel—6.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Joseph B. Read,
Thos. J. Barker,	George B. Hodge,	Robert Simmons,
Wm. J. Berry,	B. W. S. Huffaker,	J. H. Stanley,
James Blackburn,	John Hyden,	G. W. Swoope,
Robert A. Briggs,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,

Joseph Gardner,  
James B. Garnett,  
Duncan Harding,

Sumner Marble,  
C. N. Pendleton,

C. J. Walton,  
George Wright—31.

Two o'clock, P. M., the regular hour for adjournment, having arrived, further action on said bill and pending amendment was cut off.

And then the Senate adjourned.

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SATURDAY, FEBRUARY 19, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Kentucky Trotting Horse Breeders' Association.

An act repealing an act incorporating the town of Roaring Springs, in Trigg county.

An act to prevent stock from running at large in Campbell county.

An act to prevent stock from running at large on turnpike roads in Woodford, Boyle, and Garrard counties.

Resolution to appoint joint committee to report as to propriety of building new stable for Governor's Mansion.

That they had disagreed to bills, which originated in the Senate, of the following titles, viz :

An act to provide for the representation of Kentucky resources and industries at the American Centennial exhibition at Philadelphia, beginning May 10th, 1876.

An act to amend article 12 of chapter 33 of the General Statutes, entitled "Elections."

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act authorizing justice of peace nearest court-house in Mayfield, Graves county, to act as county judge during vacancy.



An act for the benefit of F. M. Woosley, sheriff of Edmonson county.

An act to incorporate the town of Glencoe, in Gallatin county.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Troublesome Creek Boom Company, in Breathitt county.

2. An act to incorporate the Flemingsburg Railway Company.

3. An act to allow the voters of Floyd county to vote on the proposition of removing the county seat of said county.

4. An act for the benefit of Garrard county.

5. An act to change the line between the counties of Barren and Metcalfe.

6. An act to incorporate the Lexington Gas Company, of Lexington, Kentucky.

7. An act repealing third section of an act, entitled "An act repealing an act creating the office of the town marshal of Independence, in Kenton county, and concerning the police laws of said town."

8. An act to consolidate the Louisville, Harrod's Creek, and Westport Railroad Company with the Louisville and Covington Railroad Company.

9. An act to authorize Graves county court of claims to issue bonds, and to create sinking fund to liquidate the same.

10. An act to extend the corporate limits of the town of Litchfield, in Grayson county.

11. An act for the benefit of common schools in Grayson county.

12. An act for the benefit of James A. Howell, committee for Jas. Shoemaker, an adjudged pauper idiot.

13. An act for the benefit of W. D. Rucker, of Green county.

14. An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Greensburg,'"

15. An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties.

16. An act to authorize the county courts to establish work-houses, and to provide for the confinement therein of persons adjudged guilty of misdemeanors.

17. An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases.

18. An act to amend article 11, chapter 29, of General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 6th, 7th, 10th, 14th, and 15th to the Committee on the Judiciary; the 2d and 8th to the Committee on Railroads; the 3d, 9th, 16th, and 17th to the Committee on Courts of Justice; the 4th to the Committee on Privileges and Elections; the 5th to the Committee on Propositions and Grievances; the 11th to the Committee on Education; the 12th and 13th to the Committee on Claims, and the 18th to the Committee on General Statutes and Codes of Practice.

The following petitions were presented, viz :

By Mr. Wright—

1. Petition of sundry citizens of Warren county, asking to be reimbursed money out of State Treasury for judge's salary.

By Mr. Harding—

2. Petition of the Order of United Workmen, of Harrison county, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

By Mr. Simmons—

3. Petition of the Order of United Workmen, of Kenton county, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

By Mr. Read—

4. Petition of the Order of United Workmen, of the city of Louisville, praying for the passage of a law exempting them from the provisions of the law regulating life insurance companies.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Finance, and the 2d, 3d, and 4th to the Committee on Banks and Insurance.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Simmons, from the Committee on Banks and Insurance—

1. An act for the benefit of the Kentucky Mutual Benefit Association, of Maysville, Kentucky.

By Mr. Cleveland, from the Committee on Appropriations—

2. An act to repeal the act incorporating the town of Milford, in Bracken county.

By Mr. Cunningham, from the Committee on the Judiciary—

3. An act to repeal the charter of Big Spring, in the counties of Meade, Hardin, and Breckinridge.

By Mr. Cunningham, from the Committee on Courts of Justice—

4. An act changing the times of holding quarterly courts in Bourbon county.

By same—

5. An act to repeal an act, entitled "An act for the preservation and production of game and fish in Bourbon county," approved January 22, 1874.

By same—

6. An act incorporating the Clintonville Cemetery Company, of Bourbon county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

7. An act to authorize the citizens of Garnettsville precinct, in Meade county, to vote upon the question of licensing taverns to sell spirituous, vinous, and malt liquors.

By Mr. Blackburn, from the Committee on Charitable Institutions—

8. An act to incorporate Anchorage Presbyterian Church.

By Mr. Read, from the Committee on Education—

9. An act to provide and maintain public schools in Cloverport, Breckinridge county.

By Mr. Barbour, from the Committee on Banks and Insurance—

10. An act incorporating the Home Savings Bank of Winchester, Kentucky.

By same—

11. An act to incorporate the Agricultural Bank of Paris, Kentucky.

By Mr. Cunningham, from the Committee on Courts of Justice—

12. An act to amend an act, entitled "An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris."

By same—

13. An act to increase the jurisdiction of justices of the peace.

By Mr. Simmons, from the Committee on the Judiciary—

14. An act to authorize the city of Covington to erect a free bridge over the Ohio river.

With amendments to the last three named bills.

Which were adopted.



*Ordered*, That the 8th and 13th of said bills be placed in the orders of the day, and that all the others be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid, except that of the last named bill, which is amended by striking therefrom the word "free."

On motion of Mr. Cunningham, leave of absence, indefinitely, was granted Mr. Briggs.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act authorizing the justice of peace nearest court-house in Mayfield, Graves county, to act as county judge during vacancy.

An act to provide for continuing the Geological and other Surveys of the State of Kentucky.

An act for the benefit of Thomas J. Smith, sheriff of Ohio county.

An act to amend an act incorporating the town of Grayson, Carter county, approved 22d February, 1860.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. R. G. Hays, from the Committee on Finance—

1. A bill to authorize the sale of the stock owned by the Logan county court in the Louisville and Nashville Railroad Company.

By same—

2. A bill to authorize the Logan county court to borrow money,

By Mr. Barker, from the Committee on the Judiciary—

3. A bill to amend article 5, chapter 28, General Statutes.

By Mr. Tyler, from a select committee—

4. A bill to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court.

By same—

5. A bill to provide for the enforcement of judgments and executions against railroad companies.

By Mr. Cunningham, from the Committee on Courts of Justice—

6. A bill to amend the charter and reduce into one the several acts concerning the town of Sharpsburg, Bath county.

By Mr. Cleveland, from the Committee on Appropriations—

7. A bill relating to official sales in the county of Bracken.



By Mr. Tyler, from the Committee on the Judiciary—

8. A bill to amend an act, entitled “An act to incorporate Confederate City, in Rowan county.”

By Mr. Garnett, from the Committee on the Judiciary—

9. A bill for the benefit of the sheriff of Calloway county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, the 3d was placed in the orders of the day; the 4th was ordered to be printed and made the special order of the day for Tuesday next, the 22d inst., at 10½ o'clock, A. M., and from day to day until disposed of; the 5th was ordered to be printed and referred to the Committee on General Statutes and Codes of Practice, and all the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of the amendment proposed by the Senate to a bill, which originated in the Senate, entitled

An act to authorize the city of Covington to erect a bridge over the Ohio river.

Mr. Walton, from the Committee on Claims, to whom was referred a resolution from the House of Representatives, entitled

Resolution appropriating money to defray the expenses of the contested election case of Prichard vs. Culbertson, and for other purposes,

Reported the same without amendment.

Said resolution reads as follows, viz:

WHEREAS, The special committee in the contested election case of Allen Prichard, contestant, against K. R. Culbertson, contestee, are of the unanimous opinion that the contest was made in good faith; and whereas, it appears that there was only a majority of two votes against Dr. Prichard, as the votes were cast, and that, before the contest was begun, two reliable and credible voters of Lawrence county made affidavit and afterwards testified that they had voted for Prichard, when, in fact, their votes were recorded for Culbertson; and whereas, the contestant and contestee have been at enormous expense in prosecuting and

defending said contest; and as it has heretofore been the custom for the State to pay the cost in contested election cases, and as we believe such a course to be just and proper, therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasurer in favor of Allen Prichard for the sum of three hundred dollars, for legal expenses incurred; and also draw his warrant upon the Treasurer in favor of K. R. Culbertson for the sum of three hundred dollars, for legal expenses incurred by him; and that the Auditor draw his warrant upon the Treasurer in favor of Allen Prichard for a sum equal to the mileage allowed K. R. Culbertson as Representative from the counties of Boyd and Lawrence, which sums are to be paid out of any money in the Treasury not otherwise appropriated. This resolution shall take effect from and after its passage.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—25.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Wm. J. Berry,	B. W. S. Huffaker,	C. N. Pendleton,
H. F. Finley,	J. R. Leslie,	G. W. Swoope,
James B. Garnett,	Sumner Marble,	H. A. Tyler—9.
Duncan Harding,		

*Resolved,* That the title of said resolution be as aforesaid.

The Senate, according to order, resumed the consideration of

A bill to amend chapter 60 of the General Statutes, entitled "Interest and Usury,"

Together with the amendment proposed by Mr. Finley.

And the question being taken on the adoption of said amendment, it was decided in the negative.

By general consent, the following amendments were admitted in the order in which they are named:

By Mr. Cleveland—

1. Strike out the 1st section of the bill, and insert in lieu thereof the following, viz:

"That any rate of interest, for the loan or forbearance of money, or other thing agreed upon by the parties, in writing, shall be legal and binding; and in the absence of any contract, the legal rate of interest shall be at the rate of six per cent. per annum."

2. Strike out the 2d, 3d, and 4th sections of the bill.

3. Strike out in the fifth and seventh lines of the first section the words "or person," where they occur.

4. Amend the first section by striking out the word "six," and insert in lieu thereof the word "eight," in the second line thereof.

5. Amend the bill by adding the following, viz :

"The provisions of this bill shall not apply to the 26th Senatorial District."

6. Amend the bill by striking out the last section, and insert in lieu thereof the following, viz :

"This act shall take effect on the first day of January, 1878."

By Mr. Read—

7. Amend said bill by exempting the city of Louisville from the provisions thereof.

By Mr. Briggs—

8. Amend the second section of the bill by striking out all after the word "interest," in the third line thereof, and inserting the following:

9. "Charged at a higher rate than six per cent."

And strike out the 3d and 4th sections of the bill.

By Mr. Swoope—

10. Amend section first by adding after the word "for," in the sixth line thereof, the following, viz :

"And shall not pay any amount of compensation for money deposited with it or him."

By same—

11. Amend section two by striking out of said section the following:

"To the extent of all the interest reserved of, or provided for, by such usurious contract."

And also by striking out the following, viz :

"Beyond the amount of the principal loaned."

By same—

12. Strike out sections three and four of the bill.

By Mr. Tyler—

The following amendment as a substitute for said bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That section one of article one of chapter sixty of the General



Statutes, title "Interest and Usury," be amended by striking out the words "unless otherwise contracted for in writing;" by striking out the words "except as hereinafter provided," in section two of same article.

§ 2. That all of article two of said chapter be, and the same is hereby, repealed.

§ 3. That there be added to article one of said chapter an additional section, to be the 9th section, as follows: Nothing in this chapter shall be construed to authorize any bank or other incorporated institution to charge a greater amount, including discount, than six per cent. per annum, on any bill, bond, note, or other obligation discounted or purchased by it, but may charge exchange at a rate not exceeding one half of one per cent.

§ 4. All laws or part of laws in conflict with this chapter, as thus amended, be, and the same are hereby, repealed.

§ 5. This act shall take effect and be in force from and after the first day of September, 1876.

Mr. Vories proposed the following amendment as a substitute for the amendment proposed by Mr. Tyler, viz:

*Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That chapter 60, article 2, section 1, of the General Statutes, be amended by striking out the word "ten," in the 6th line of said section, and inserting in lieu thereof the word "eight."

Mr. Jenkins proposed to amend said bill by inserting the following as a substitute therefor, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That no person shall hereafter, upon any contract, take, directly or indirectly, for loan of any money, wares or merchandise, or other commodity, above the value of six dollars for the loan or forbearance of one hundred dollars for a year, and after that rate for a greater or lesser sum, or for a longer or shorter time; and all bonds, contracts, covenants, conveyances, or assurances hereafter to be made, for payment or delivery of any money, or goods so to be lent, on which a higher interest is reserved or taken than is hereby allowed, shall be utterly void so far as it relates to the interest.

§ 2. A court of equity may grant relief for any such interest and excess of interest, and to that end compel the necessary discovery from the lender or forbearer. Such interest and excess of interest may be recovered from the lender or forbearer, although the payment thereof was made to his assignee.

§ 3. Partial payment made on a debt bearing interest shall be first applied to the extinguishment of the interest then due.

§ 4. A judgment, except for malicious prosecution, libel, slander, or injury to the person, shall bear legal interest from date. A judgment may be for the principal and accrued interest.

§ 5. Any indebtedness incurred, or evidence by judgment rendered, out of the State, shall bear like interest as if it had been incurred or judgment rendered in this Commonwealth.

§ 6. No person or corporation shall, directly or indirectly, take or receive, in money, goods, or things in action, or in any other way, any greater sum or greater value for the loan or forbearance of any money, goods, or things in action, than is above prescribed; and for a violation of this section, the lender or forbearer shall forfeit all interest on the same; and for a violation of this section by the lender or forbearer, any surety to any indebtedness shall be released.



§ 7. Every person who, for any such loan or forbearance, shall pay or deliver any greater sum or value than is above allowed to be received, his personal representatives may recover, in an action against the person who shall take or receive the same and his personal representatives, the amount of money so paid or value delivered, if such action be brought in five years after such payment or delivery.

§ 8. If such suit be not brought within one year, and prosecuted with effect, then the said sum may be sued for and recovered, with costs, at any time within four years after the said one year, by any creditor of the debtor where such payment has been made.

§ 9. All acts or parts of acts coming in conflict with this act shall be, and the same are hereby, repealed: *Provided*, that nothing in this act contained shall be so construed as to affect any contract heretofore made.

Mr. Swoope then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	Robert Simmons,
Wm. J. Berry,	John Hyden,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	C. N. Pendleton,	George Wright—21.

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
F. L. Cleveland,	Wm. Cassius Goodloe,	Sumner Marble,
W. W. Culbertson,	Duncan Harding,	Joseph B. Read,
W. A. Cunningham,	R. G. Hays,	J. H. Stanley,
P. F. Edwards,	B. W. S. Huffaker,	W. L. Vories—15.

The question was then taken on the first amendment proposed by Mr. Cleveland, to strike out the first section of the bill, and insert in lieu thereof the amendment proposed by him.

Mr. J. W. Hays called for a division of the question.

The question was first taken on striking out the first section of the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	H. F. Finley,	R. B. Lovel,
W. W. Culbertson,	Wm. Cassius Goodloe,	Sumner Marble,
W. A. Cunningham,	R. G. Hays,	Joseph B. Read,
P. F. Edwards,	B. W. S. Huffaker,	Thos. W. Varnon—12.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	J. H. Stanley,
Thos. J. Barker,	John Hyden,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	C. N. Pendleton,	George Wright—23.
Duncan Harding,	Robert Simmons,	

The question was then taken on the amendment proposed by Mr. Cleveland, to strike out the second section of the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	H. F. Finley,	R. B. Lovel,
F. L. Cleveland,	Wm. Cassius Goodloe,	Joseph B. Read,
W. W. Culbertson,	R. G. Hays,	Robert Simmons,
W. A. Cunningham,	George B. Hodge,	Thos. W. Varnon,
P. F. Edwards,	B. W. S. Huffaker,	C. J. Walton—15.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	C. N. Pendleton,
Thos. J. Barker,	John Hyden,	J. H. Stanley,
Wm. J. Berry,	S. H. Jenkins,	G. W. Swoope,
James Blackburn,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	H. A. Tyler,
Joseph Gardner,	P. A. Lyon,	W. L. Vories,
James B. Garnett,	Sumner Marble,	George Wright—22.
Duncan Harding,		

The question was then taken on the amendment proposed by Mr. Cleveland, to strike out the third section of the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	James B. Garnett,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	Joseph B. Read,
W. W. Culbertson,	R. G. Hays,	Robert Simmons,
W. A. Cunningham,	George B. Hodge,	Thos. W. Varnon,
P. F. Edwards,	B. W. S. Huffaker,	C. J. Walton—17.
H. F. Finley,	R. B. Lovel,	

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	J. H. Stanley,
Thos. J. Barker,	John Hyden,	G. W. Swoope,
Wm. J. Berry,	S. H. Jenkins,	E. W. Turner,

James Blackburn,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—20.
Duncan Harding,	C. N. Pendleton,	

The question was then taken on the amendment proposed by Mr. Cleveland, to strike out the fourth section of the bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	James B. Garnett,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	Joseph B. Read,
W. W. Culbertson,	R. G. Hays,	Robert Simmons,
W. A. Cunningham,	George B. Hodge,	Thos. W. Varnon,
P. F. Edwards,	B. W. S. Huffaker,	C. J. Walton—17.
H. F. Finley,	R. B. Lovel,	

Those who voted in the negative were—

Pollock Barbour,	James W. Hays,	J. H. Stanley,
Thos. J. Barker,	John Hyden,	G. W. Swoope,
Wm. J. Berry,	S. H. Jenkins,	E. W. Turner,
James Blackburn,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—20.
Duncan Harding,	C. N. Pendleton,	

The question was then taken on the amendment proposed by Mr. Cleveland, providing that the provisions of this bill shall not apply to the 26th Senatorial District, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	Wm. Cassius Goodloe,	R. B. Lovel,
F. L. Cleveland,	R. G. Hays,	Sumner Marble,
W. W. Culbertson,	George B. Hodge,	Joseph B. Read,
P. F. Edwards,	B. W. S. Huffaker,	Thos. W. Varnon—15.

Those who voted in the negative, were

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Thos. J. Barker,	James W. Hays,	J. H. Stanley,
Wm. J. Berry,	John Hyden,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—25.
James B. Garnett,		

The question was then taken on the last amendment proposed by Mr. Cleveland, which provides that this act shall not take effect until the 1st day of January, 1878, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	Wm. Cassius Goodloe,	R. B. Lovel,
F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	George B. Hodge,	Robert Simmons,
P. F. Edwards,	B. W. S. Huffaker,	Thos. W. Varnon—14.
H. F. Finley,	John Hyden,	

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	J. H. Stanley,
Thos. J. Barker,	James W. Hays,	G. W. Swoope,
Wm. J. Berry,	S. H. Jenkins,	E. W. Turner,
James Blackburn,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—23.
James B. Garnett,	C. N. Pendleton,	

The question was then taken on the amendment proposed by Mr. Read, exempting the city of Louisville from the provisions of this bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	P. F. Edwards,	R. B. Lovel,
F. L. Cleveland,	Wm. Cassius Goodloe,	Sumner Marble,
W. W. Culbertson,	R. G. Hays,	Joseph B. Read—9.

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	J. H. Stanley,
Thos. J. Barker,	James W. Hays,	G. W. Swoope,
Wm. J. Berry,	B. W. S. Huffaker,	E. W. Turner,
James Blackburn,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Robert Simmons,	George Wright—25.
James B. Garnett,		

The question was then taken on the amendment proposed by Mr. Briggs to the second section of the bill.

At this point the Speaker decided "that the refusal of the Senate to strike out a section of the bill precluded an amendment to said



section," and the amendments proposed by Mr. Briggs, and also the amendments proposed by Mr. Swoope, were declared out of order.

The question was then taken on the amendment proposed by Mr. Vories to the substitute proposed by Mr. Tyler, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cunningham and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Wm. Cassius Goodloe,	Sumner Marble,
Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories—20.
H. F. Finley,	P. A. Lyon,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	G. W. Swoope,
Thos. J. Barker,	James W. Hays,	E. W. Turner,
Wm. J. Berry,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
Joseph Gardner,	D. H. Lindsay,	George Wright—15.

The reporting of the substitute proposed by Mr. Tyler, as amended, being called for, and the Clerk proceeding to report it, discovered that it did not have the word "substitute" written thereon, but simply appeared in bill shape.

Whereupon the Speaker asked general consent for the Clerk to correct said omission.

Objections were raised by Senators Simmons and Marble.

The Speaker then stated the matter was a mere oversight on the part of Mr. Tyler in drawing the substitute, and that it was the accepted practice of all parliamentary bodies to allow the Clerk to make such corrections, by general consent, and that he trusted that the Senators would withdraw their objections to said technicality, and allow it to be corrected.

Whereupon the objecting Senators withdrew their objections.

Whilst instructing the Clerk to make the necessary correction, Mr. Barker renewed the objections, and called for a strict ruling on the part of the Speaker.

And then the Speaker ruled the substitute out of order, which carried with it the amendment proposed thereto by Mr. Vories.

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. N. Pendleton,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
Wm. J. Berry,	B. W. S. Huffaker,	J. H. Stanley,
James Blackburn,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	George Wright—26.
James B. Garnett,	Sumner Marble,	

Those who voted in the negative, were—

Scott Brown,	Wm. Cassius Goodloe,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Thos. W. Varnon,
W. W. Culbertson,	George B. Hodge,	C. J. Walton—11.
P. F. Edwards,	P. A. Lyon,	

Said bill was engrossed and read a third time.

Mr. Vories moved to recommit said bill to the Committee on Banks and Insurance.

Mr. Swoope moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	G. W. Swoope,
Wm. J. Berry,	James W. Hays,	E. W. Turner,
James Blackburn,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	George Wright—17.
Joseph Gardner,	D. H. Lindsay,	

Those who voted in the negative, were—

Scott Brown,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton—20.
Wm. Cassius Goodloe,	Sumner Marble,	

Mr. Vories, by unanimous consent, was allowed to offer the following amendment as a substitute for said bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That chapter 60, article 2, of the General Statutes, be amended in

section one by striking out the word "ten," in line six of said section, and inserting the word "eight," and in section five, line three, by striking out the word "ten" and inserting the word "eight."

§ 2. That all laws or parts of laws in conflict with this chapter, as thus amended, be, and the same are hereby, repealed.

§ 3. This act shall take effect twenty days after its passage.

And the question being taken on the adoption of said amendment as a substitute, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Vories, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Scott Brown,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories—22.
H. F. Finley,		

Those who voted in the negative, were—

Thos. J. Barker,	James W. Hays,	E. W. Turner,
Wm. J. Berry,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—14.
James B. Garnett,	G. W. Swoope,	

Mr. Vories then moved to recommit said bill to the Committee on Banks and Insurance, with instructions to report on Monday, the 21st inst., at any time during the morning.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The Senate, according to order, took up for consideration

A bill authorizing the employing and hiring the convicts to work out of the penitentiary.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be lawful for the Keeper of the Penitentiary of this Commonwealth to employ or hire to others the able-bodied male convicts, under sentence of confinement therein, or as many as may be deemed proper, to labor upon any of the streams of this Commonwealth for the purpose of slack-watering the same, as well by the erection of other locks and dams, as by the repairing and improving of those which have already been erected; and said Keeper may hire to others as many of such convicts as he may see proper for the same purpose.

§ 2. The convicts thus employed outside of the Penitentiary shall be under the care of some discreet, prudent, and otherwise competent person, who shall be styled Warden, to be selected by the Governor of the Com-



monwealth and the Keeper of the Penitentiary, who shall take an oath that he will faithfully and to the best of his skill and judgment discharge the duties required of him by this act, and shall hold his office at the pleasure of the Governor and Keeper of the Penitentiary.

§ 3. It shall be the duty of the Warden to exercise a careful oversight of the prisoners under his charge, to employ the necessary guards in order to prevent escapes, to look after the health and personal comfort of the prisoners, and see that they are kept employed but not over-worked.

§ 4. The Warden shall have the same power and authority over the prisoners, while employed outside of the Penitentiary, and also while in transitu to the place or places where they are to be employed, and back and forth, and from one place of labor to another, as the Keeper of the Penitentiary now has under the law governing the same, and also the rules of the prison over the convicts within the walls of the Penitentiary, and the same now in force for the government of the prisoners shall apply and be in force, as far as practicable, to all convicts worked outside of the Penitentiary under the provisions of this act; and any prisoner or prisoners, thus detailed to labor outside of the Penitentiary, who shall escape, or attempt to escape, or who shall refuse to obey, or who shall resist the authority of the Warden or of the guards appointed by him, or who shall unite in any mutiny, or aid or abet any mutiny or resistance of the authority of the Warden aforesaid, or of the guards appointed by him, shall be deemed guilty of the same offense, and be punished in the same manner as if the same had been done within the walls of the Penitentiary.

§ 5. If any person or persons, not a convict, shall knowingly and willfully aid, abet, counsel, or assist any prisoner or prisoners, thus detailed or employed in labor outside of the Penitentiary as aforesaid, to escape or attempt to escape, or to resist the Warden or guards, or in anywise to resist their authority, he or they so offending shall be deemed guilty of felony, and, upon conviction by a court of competent jurisdiction, be sentenced to confinement and labor in the Penitentiary for not less than one nor more than four years, at the discretion of a jury.

§ 6. It shall be the duty of the Keeper of the Penitentiary and the Governor of this Commonwealth to designate what number of convicts shall be employed at labor outside of the Penitentiary as aforesaid, and also to prescribe what proper and reasonable reward shall be bestowed upon such convicts so employed for faithfulness and good behavior, and they may also prescribe a system of rules and regulations adapted to the circumstances for the better government and control of the convicts so employed.

§ 7. The State of Kentucky shall in nowise be responsible for any costs or charges or other liability growing out of any contract or agreement made or entered into pursuant to this act; and all officers created by this act shall be paid by the Keeper of the Penitentiary.

§ 8. The Governor and Keeper of the Penitentiary may appoint as many Wardens as the necessities of the case may require.

§ 9. The Keeper of the Penitentiary shall make a correct record of the convicts who shall be employed at labor as aforesaid, showing the name of each convict, when, where, and for what crime he was sentenced, as well as the duration of the sentence; one copy of which shall be furnished to the Warden having charge of them, and one copy shall be delivered to the Governor.

§ 10. It shall be the duty of the Warden to keep a correct record, showing the number of days each convict has labored, whether any have been sick, whether any have escaped or attempted to escape, also deaths, if any, and such other facts touching the conduct, demeanor, and welfare of each



convict as he may deem of importance; of all which he shall make a report to the Keeper of the Penitentiary at the end of each month.

§ 11. No convict shall be so employed or hired to others, as directed by this act, until he has given his consent in writing, which shall be signed and acknowledged by such convict before some justice of the peace of Franklin county, and the same to be filed with the Keeper of the Penitentiary.

§ 12. It shall be the duty of the Keeper of the Penitentiary, on employing or hiring to others convicts, to require of such person or persons to provide for such convicts good, suitable, and safe places in which to sleep, and in all other respects to provide for them as now required by law while in the Penitentiary.

§ 13. No convict whose term of confinement is for a greater period of time than ten years shall be employed or hired out under the provisions of this act.

§ 14. That this act shall take effect and be in force from its passage.

Mr. Swoope moved to postpone the consideration of said bill indefinitely.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Ewing and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	H. F. Finley,	G. W. Swoope,
W. W. Culbertson,	Joseph Gardner,	George Wright—8.
Andrew J. Ewing,	R. G. Hays,	

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	C. N. Pendleton,
Thos. J. Barker,	George B. Hodge,	Joseph B. Read,
James Blackburn,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Wm. Cassius Goodloe,	P. A. Lyon,	W. L. Vories,
Duncan Harding,	Sumner Marble,	C. J. Walton—27.

Mr. Barker moved to postpone the further consideration of said bill until Monday next, the 21st inst., at 11 o'clock.

Mr. Swoope moved to commit said bill to the Committee on Penitentiary and House of Reform, and that Mr. Barker be added to said committee for the purpose of considering said bill.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Sumner Marble,
James Blackburn,	George B. Hodge,	Joseph B. Read,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Duncan Harding,	R. B. Lovel,	C. J. Walton—26.
James W. Hays,	P. A. Lyon,	

Those who voted in the negative, were—

Andrew J. Ewing,	G. W. Swoope,	George Wright—4.
Joseph Gardner,		

Leave was given to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill to regulate and fix the times of holding circuit courts in the 4th judicial district and the counties of Logan and Butler.

On motion of Mr. J. W. Hays—

2. A bill for the benefit of the Hardin county court.

On motion of Mr. Brown—

3. A bill to release the Superintendent of the Kentucky Military Institute from the damages caused by the use of the State arms used by the cadets of said institution.

On motion of Mr. Tyler—

4. A bill to repeal chapter 65, General Statutes, and to re-establish the office of receiver of lands west of Tennessee river.

On motion of same—

5. A bill to incorporate the Mayfield and Wadesboro Gravel Road Company.

On motion of Mr. Wright—

6. A bill for the benefit of D. F. Smith, of Warren county.

On motion of Mr. Edwards—

7. A bill to incorporate the town of Rocky Hill, in Edmonson county.

On motion of Mr. Varnon—

8. A bill to amend the charter of the town of Hustonville, Lincoln county.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the 1st; the Committee on the Judiciary the 2d and 4th; the Committee on Military Affairs the 3d; the Committee on Internal Improvement the 5th; the Committee on Charitable Institutions the

6th; the Committee on Propositions and Grievances the 7th, and the Committee on Privileges and Elections the 8th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act authorizing the justice of peace nearest court-house in Mayfield, Graves county, to act as county judge during vacancy.

An act to provide for continuing the Geological and other Surveys of the State of Kentucky.

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

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#### MONDAY, FEBRUARY 21, 1866.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to prevent stock from running at large in Boone county.

An act to amend an act, entitled "An act to incorporate the Bowling Green Manufacturing Company," approved February, 1866.

That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz:

An act to authorize the city of Covington to erect a bridge over the Ohio river.

An act to amend an act, entitled "An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris."

That they had passed a bill and adopted a resolution of the following titles, viz :

An act to create a criminal court in the 16th judicial district.

Resolution to provide for the erection of stable on public grounds adjacent to Executive Mansion.

Which bill was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Courts of Justice, and the resolution to the Committee on Library and Public Offices and Buildings.

Leave was given to bring in the following bill, viz :

On motion of Mr. Edwards—

A bill for the benefit of W. G. McGill, late deputy sheriff of Breckinridge county.

*Ordered*, That the Committee on Claims prepare and bring in the same.

The following petitions and remonstrance were presented, viz :

By Mr. Ewing—

Petition of sundry citizens of Bath county, asking for the passage of a law authorizing pay to jurors caught upon certain special occasions.

By Mr. Walton—

Petition of sundry citizens of Green county, asking the passage of a law changing the route of the Lexington road in the southwestern portion of said county.

By Mr. Lovel—

Remonstrance of sundry citizens of Lewis county against any increase of the turnpike tax in said county.

Which were received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

Mr. Wright moved the following resolution, viz :

*Resolved*, That the Keeper of the Penitentiary inform the Senate of the number of convicts now confined in the penitentiary, and the number of sleeping cells prepared for them ; what is the size of each cell ; whether the cells were originally intended for more than one person, and whether more than one person is, or not, now locked up in each one at night.

*Resolved further*, That said Keeper also inform this House whether the State owns land adjacent to the walls of the penitentiary upon which a sufficient extension can be made, and what would be the probable cost of a sufficient extension to answer the demands at this time, including out-



side walls, workshops, and cells; and whether any additional machinery would be required.

Which was adopted.

Mr. R. G. Hays read and laid on the table the following resolution, viz :

WHEREAS, By an act of the General Assembly of the Commonwealth of Kentucky, approved January 31, 1874, it was made the duty of the assessors of the several counties in this Commonwealth, at the same time they take their lists of taxable property, to take a list of the births, deaths, and marriages, upon blanks furnished by the Auditor of Public Accounts, with the proper headings, for all the information sought to be obtained by the passage of said act; and whereas, it was made the duty of the Auditor to make out tables annually from the said lists taken by assessors and copied and sent to said Auditor by the clerks of the several county courts, and that said tables should be so tabulated as to give all the information desired to be obtained by the passage of said act; and whereas, said act requires said Auditor to make said tabular reports annually, and to cause 500 copies to be printed and sent to the several county clerks—not less than two nor more than five copies to each county clerk; and whereas, the system of registration, if properly reported and thoroughly tabulated, will be of great value, statistically and otherwise, to all the citizens of this Commonwealth, and that this General Assembly shall be properly advised of the manner in which said registration law has been executed by the assessors, clerks, physicians, midwives, and ministers, and also by the Auditor in tabulating the same, and whether or not said law should be continued in force, amended, or repealed; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a committee of two members of the Senate and three members of the House be appointed to examine the tables of births, deaths, and marriages tabulated by the Auditor, as required by said act approved January 31, 1874, and to report to this General Assembly the manner in which the same has been executed; whether, in their judgment, it is done in conformity to said act, and is of sufficient importance to be continued in force, or whether the act should be amended or repealed, and all such information and suggestions in regard to said registration of births, deaths, and marriages as they shall deem necessary for the information of the General Assembly, on said Auditor's tabulated tables of births, deaths, and marriages, and report the result of their investigations to this General Assembly at the earliest practicable time.

Which, under the rule, lies one day on the table.

Mr. Barbour, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to charter the deposit bank of L. Goodpaster, Sons & Co., of Owingsville, Bath county,

Reported the same without amendment.

*Ordered,* That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1 *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That there is hereby established a bank of discount and deposit in

the town of Owingsville, Bath county, Kentucky, with a capital of fifty thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, in shares of one hundred dollars each, to be subscribed and paid for as hereafter specified; and the subscribers, their associates, successors, and assigns shall be a body-politie and corporate, by the name and style of L. Goodpaster, Sons & Co., of Owingsville, Kentucky, and shall so continue for twenty years from the passage of this act; and shall be capable of contracting and being contracted with, of suing and being sued, in all courts and places whatever. They may have a common seal and change the same at pleasure; they shall be allowed to receive gold and silver, bank notes, or other circulating medium or currency, on deposit, and repay the same in such manner and at such times as may be agreed upon with depositors by special or general contract; may deal in the loaning of money on public or private securities, buy and sell drafts, bills of exchange, and bonds or stocks, or promissory notes; inland bills which may be purchased, or promissory notes made negotiable and payable at any bank, and discounted by, this bank, shall be, and they are hereby, placed upon the footing of foreign bills of exchange, and like remedy may be had thereon, jointly and severally, against drawers, acceptors, and indorsers. Promissory notes payable to any person or to a corporation, and payable and negotiable at any bank incorporated under any law of this Commonwealth, or organized in this Commonwealth under any law of the United States, which shall be indorsed to and discounted by the bank, are hereby placed on the same footing as foreign bills of exchange.

§ 2. The said corporation may acquire, hold, possess, use, and occupy all such real estate, goods and chattels, as shall be necessary and convenient for the transaction of the business thereof, or which may be pledged, conveyed, mortgaged, or transferred to it as security for any debt, or purchased in satisfaction of any debt or judgment, and may sell and convey the same in accordance with an act, entitled "An act for the benefit of the incorporated banks of Kentucky," approved March the 16th, 1871; and they may make such laws for their government as they may deem necessary, not inconsistent with the Constitution and laws of this State or the United States.

§ 3. Said bank may appoint such officers as may be necessary to conduct her business, who shall be under the control of not less than two, nor more than five, directors, each of whom shall be stockholder residing in the State; they shall hold their office until their successors are elected and qualified; and after the first election they shall be elected on the first Monday in January in each year, or so soon thereafter as practicable convenient; they shall elect one of their number president; they shall hold regular meetings at such times as may be fixed by the by-laws, and other meetings may be held when deemed necessary. In case of death, resignation or refusal to act of any director, the vacancy shall be filled by the board of directors; the directors shall have power to declare dividends of the profits arising out of the business, and to fix, allow, and pay to the officers, agents, and servants such sums as wages or salary as they shall think proper; the stock shall be deemed personal property, and shall be assignable according to such rules as the board of directors may prescribe; and transferable on their books only. The entire property of the stockholders, real and personal, shall be liable for all the obligations of the bank.

§ 3. L. Goodpaster and J. B. Goodpaster are hereby appointed commissioners to open books and secure subscriptions to the capital stock;

and when fifty thousand dollars shall have been subscribed and actually paid in, it shall be their duty to appoint a day for the election of a board of directors, who shall be qualified and hold office until their successors are elected at the ensuing annual election; and in all elections for directors or other officers of said bank, the stockholders shall be entitled to one vote for each share of the capital stock he or she may hold in same. Said corporation may commence business so soon as fifty thousand dollars shall have been subscribed and actually paid in, and the president and the directors first elected shall have made oath to the fact of such payment before some judge or justice of the peace.

§ 5. The board of directors may require their cashier or other officers to give bond, with security, in such penalty as they may order on their records, and fix conditions for the faithful discharge of the duties of such office.

§ 6. It shall not be lawful for said bank to issue any note or bill to be passed as currency.

§ 7. The General Assembly shall have the right to examine into the affairs of the corporation by committee appointed for the purpose.

§ 8. The Legislature reserves the right to alter, amend, or repeal this act.

§ 9. No certificate of stock shall be issued, except for stock actually subscribed for on the books of the company and actually paid in.

§ 10. The indebtedness of this corporation over and above that incurred for deposits in money shall at no time exceed their paid up capital.

§ 11. That unless the incorporators shall organize and commence business within one year from the approval hereof by the Governor, this act shall be null and void.

§ 12. This act shall take effect from its passage.

§ 13. The Legislature may at any time modify or repeal this charter.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	C. N. Pendleton,
Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
James Blackburn,	Wm. Cassius Goodloe,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	G. W. Swoope,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
H. F. Finley,	Sumner Marble,	C. J. Walton—30.

Those who voted in the negative were—

Wm. J. Berry,	J. R. Leslie,	George Wright—4.
S. H. Jenkins,		

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate Anchorage Presbyterian Church.



*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration

A bill to incorporate the Calloway Agricultural and Mechanical Association.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. Simmons, leave of absence, indefinitely, was granted Mr. Lindsay.

Mr. J. W. Hays, from the Committee on the Judiciary, reported

A bill to incorporate the purchasers of railroads.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That whenever a railroad hereafter may be sold under and in pursuance of a decree or judgment of a court of equity, or other court having jurisdiction, the purchasers thereof or their assigns, together with such persons as may be associated with them, shall be authorized to become a body-politic and corporate for the purpose of operating and completing said railroad ; and shall be entitled to exercise all the franchises, powers, rights and privileges, and shall be subject to all limitations, restrictions, and liabilities contained in the charter granted by the General Assembly of the Commonwealth of Kentucky under which said railroad was constructed and operated, as they existed at the time of such sale: *Provided, however*, That nothing in this act shall be construed to authorize any such corporation to receive subscriptions of stock from counties, towns, or cities in this State: *And provided*, That all corporations created under this act, shall be subject to the provisions of sections one and two of chapter No. 148 of the acts of 1855-'6, being an act of the General Assembly of this Commonwealth, approved February 14, 1856.

§ 2. The mode by which said purchasers or their assigns and associates, as above mentioned, shall become incorporated, shall be as prescribed in chapter 56 of the General Statutes. The articles of incorporation of any such company may provide for the issue at one or several times, and disposition of any amount of negotiable bonds, with or without coupons bearing a rate of interest payable semi-annually, not exceeding eight per cent. per annum, and paid up capital stock ; said bonds and stock not to exceed in the aggregate the original cost of the construction of the railroad and



equipment purchased, and such sum as may be necessary in order to complete the same; and for priorities in the payment of the interest or principal of said bonds, or of dividends on different classes of its stock, and may regulate what right the different classes of stockholders and bondholders may have to vote in corporate meetings and elections, and may exempt the latter from responsibility in consequence of the exercise of such right. The corporation thus created may secure the payment of any bonds issued by it, under the authority conferred by this act, by mortgages or deeds of trust upon all or any part of its property, rights, and franchises acquired or to be acquired.

§ 3. That whenever the railroad of any such corporations shall be sold or taken into possession by any court of equity or other court having jurisdiction, the wages due to employees by said corporation for work done within three months next before such sale or seizure, and claims for compensation for injuries to persons or property inflicted in operating said railroad within six months next before such sale or seizure, shall have a first lien, and shall be first paid from the proceeds of sale or of net earnings of the railroad while in possession of the court.

§ 4. This act to take effect from its passage.

Mr. Tyler moved to amend said bill by adding to section one the following, viz :

“ And the provisions of section 8 of chapter 68 of General Statutes.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—32.
Joseph Gardner,	Sumner Marble,	

In the negative—none.

Pending the consideration of said bill, the hour of 11 o'clock having arrived, further action thereon was cut off by the special order of the day, it being

A bill to establish a State Board of Health, and to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

Mr. Tyler moved to postpone the consideration of said special order in order to complete the consideration of the bill now under consideration.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
Joseph Gardner,	Sumner Marble,	C. J. Walton—21.

Those who voted in the negative, were

F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	George Wright—13.
James B. Garnett,		

And the Senate resumed the consideration of

A bill to incorporate the purchasers of railroads.

Mr. Barker moved to amend said bill by adding the following thereto as an additional section :

“That the purchasers shall have power to issue bonds in amount equal to half the difference, in dollars, between the original cost of the road and the purchase price.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Swoope moved to amend said bill by adding thereto the following as an additional section, viz :

“The provisions of this bill shall not apply to the Evansville, Owensboro, and Russellville Railroad.”

The Speaker decided said amendment out of order.

From which decision Mr. Swoope appealed to the Senate.

Said appeal reads as follows, viz :

“The Senator from the Seventh District having offered an amendment, viz : ‘The provisions of this bill shall not apply to the Evansville, Owensboro, and Russellville Railroad,’ which the Speaker determined out of order, the Senator from the Seventh District

appeals to the Senate from the decision of the Speaker, and insists the amendment is and was in order."

And the question being taken "Shall the decision of the Chair stand as the sense of the Senate?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	J. R. Leslie,
Wm. J. Berry,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	C. N. Pendleton,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
P. F. Edwards,	John Hyden,	C. J. Walton—22.
Andrew J. Ewing,		

Those who voted in the negative, were—

S. H. Jenkins,	R. B. Lovel,	G. W. Swoope—3.
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The hour of 12 o'clock, M., having arrived, Mr. Tyler moved to suspend the consideration of bills in the orders of the day to complete the consideration of the bill now before the Senate.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—29.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

H. F. Finley,	G. W. Swoope,	George Wright—4.
J. R. Leslie,		

The question was then taken on ordering said bill to be engrossed and read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Finley, were as follows, viz :



Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton—28.
Joseph Gardner,		

Those who voted in the negative, were—

H. F. Finley,	G. W. Swoope,	George Wright—4.
J. R. Leslie,		

The question was then taken on suspending the rule in order to put said bill upon its passage, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	C. J. Walton—29.
James B. Garnett,	P. A. Lyon,	

Those who voted in the negative, were—

H. F. Finley,	G. W. Swoope,	George Wright—3.
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The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	James W. Hays,	Robert Simmons,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton—30.



Those who voted in the negative, were—

H. F. Finley,                      G. W. Swoope,                      George Wright—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Marble, from the Joint Committee on the revision of Codes of Practice, to whom was recommitted

A bill to regulate practice in civil cases,

Reported the same with amendments.

Mr. Vories, from the Committee on Banks and Insurance, to whom was recommitted an engrossed bill, entitled

An act to amend chapter sixty of the General Statutes, entitled "Interest and Usury,"

Reported the same, with an amendment as a substitute therefor.

Said substitute reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That said chapter be, and the same is hereby, amended by striking out the word "ten," in the sixth line of the first section of article two of said chapter, and by inserting in lieu thereof the word "eight;" and by striking the word "ten," from the third line of section five in said article, and by inserting in lieu thereof the word "eight," in said last mentioned line.

§ 2. All laws or parts of laws in conflict with the provisions of said chapter, as hereby amended, are, to the extent of such conflict, hereby repealed.

§ 3. The provisions of this act shall not affect any contract, or any right growing out of any contract, which shall have been made prior to the first day of September, 1876.

§ 4. This act shall take effect on the first day of September, 1876.

Mr. Swoope moved to amend the amendment proposed by the committee by striking out the word "eight" where it occurs therein and insert in lieu thereof the word "six."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	E. W. Turner,
Wm. J. Berry,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—14.
James B. Garnett,	G. W. Swoope,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Scott Brown,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,

W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories—22.
H. F. Finley,		

Mr. Cleveland moved to amend said amendment by adding thereto the following as an additional section, viz :

“That section 4, article 2, chapter 60, of the General Statutes, be, and the same is hereby, repealed.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	Wm. Cassius Goodloe,	Sumner Marble,
W. W. Culbertson,	George B. Hodge,	Joseph B. Read—8.
P. F. Edwards,	R. B. Lovel,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	James W. Hays,	G. W. Swoope,
James Blackburn,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—27.

Mr. Cleveland then moved to amend the amendment proposed by the committee by striking out the words “eighteen hundred and seventy-six,” in fourth section thereof, and inserting in lieu thereof the words “eighteen hundred and seventy-seven.”

Mr. Turner moved the previous question.

And the question being taken, “Shall the main question be now put?” it was decided in the affirmative.

The question was then taken on the second amendment proposed by Mr. Cleveland, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Turner, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	Wm. Cassius Goodloe,	R. B. Lovel,
W. W. Culbertson,	R. G. Hays,	Sumner Marble,
P. F. Edwards,	George B. Hodge,	Joseph B. Read—9.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,

Wm. J. Berry,	James W. Hays,	G. W. Swoope,
James Blackburn,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—27.

The question was then taken on the adoption of the amendment proposed by the committee as a substitute for the bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	James W. Hays,	Robert Simmons,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	John Hyden,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	W. L. Vories—30.

Those who voted in the negative, were—

Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
S. H. Jenkins,	G. W. Swoope,	George Wright—6.

The Speaker laid before the Senate the following communication, viz :

FRANKFORT, KY., Feb. 21, 1876.

HON. JOHN C. UNDERWOOD, *Speaker of the Kentucky Senate*:

DEAR SIR: In accordance with the written request of Mr. J. M. Byrne, vice president of the Kentucky and Great Eastern Railway Company, which request I inclose herein, I desire to transmit to you herewith the affidavit of Mr. Frank P. Byrne, and the letters to me accompanying the same.

Very respectfully,

Your obedient servant,

R. W. NELSON.

CINCINNATI, O., Feb. 18, 1876.

HON. R. W. NELSON, *Frankfort, Ky.*:

It appearing from report of proceedings of committee of investigation as to charge against Senator Hodge, that the committee could not find charges and asked to be discharged, I this day telegraphed Hon. Senator

Goodloe, asking him if formal charges were desired, to which I have a reply in the affirmative on request of Senator Hodge. You will do me the favor to hand to the proper officers in the Senate the communication from me on this subject, together with the affidavit of Mr. Frank. P. Byrne.

Very respectfully,

Your obedient servant,

JNO. BYRNE,

*V. P. K. & G. E. Ry. Co.*

KENTUCKY AND GREAT EASTERN RAILWAY,

CINCINNATI, Feb. 10, 1876. }

HON. R. W. NELSON, *Frankfort, Ky.:*

MY DEAR SIR: Inclosed you will find affidavit of Frank. P. Byrne in support of charge made against Senator Hodge by this Company. I hope the matter will be pressed before the Legislature, and Judge J. R. Hallam, of Newport, who was a witness to the demand of Hodge, called upon for his testimony. If, from any reason unknown to me, you feel a delicacy in bringing this matter up, please hand the papers to Mr. T. F. Hallam and advise me. We are determined to show up the facts in this case. As the latter part of the communication on this subject was not pertinent to the matter before the Legislature, I have not forwarded evidence, but am prepared to substantiate the statements by affidavit, if demanded.

Very respectfully, &c.,

J. M. BYRNE,

*V. P. K. & G. E. Ry.*

STATE OF KENTUCKY, }  
KENTON COUNTY. } ss.:

This affiant, F. P. Byrne, states, that in the month of December, 1875, a week or so before Christmas, this affiant met George B. Hodge, Senator from Campbell county in the Legislature of Kentucky, in front of the St. Charles restaurant, on Fourth street, in the city of Cincinnati, and State of Ohio, and the said Hodge, having been introduced to affiant by Judge J. R. Hallam, of Newport, Kentucky, as being connected with the Kentucky and Great Eastern Railway Company, in the presence of said Hallam, while speaking of the Kentucky and Great Eastern Railway Company to affiant, to say to the company, that "if it did not send him five hundred (\$500) or one thousand (\$1000) dollars he would have its charter repealed, as he was chairman of the Committee on Railroads in the Kentucky Senate." Affiant replied that "he would mention it to the Company." He (Hodge) further said, "that he was tired of working for the poetry of life, and wanted something more substantial."

F. P. BYRNE.

Sworn to before me by F. P. Byrne this 10th day of February, 1876.

JNO. G. METCALF,

*Examiner for Kenton county, Kentucky.*



Mr. Goodloe moved that a committee of seven Senators be appointed to investigate the charges contained in said letters and affidavit, and that said committee have power to send for persons and papers, and to employ a short-hand reporter to record the testimony produced in regard to said charges.

Which motion was adopted.

The Speaker appointed Messrs. Goodloe, J. W. Hays, Tyler, Barker, Finley, Cunningham, and Blackburn said committee.

The Senate having met at 7½ o'clock, P. M., pursuant to adjournment, Mr. Huffaker moved the following resolution, viz :

*Resolved*, That each Senator be allowed to call up from the hand of the committees two bills for each Representative he represents, beginning at the First District, and each district consecutively thereafter.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. B. Lovel,	Robert Simmons,
W. W. Culbertson,	C. N. Pendleton,	Thos. W. Varnon,
B. W. S. Huffaker,	Joseph B. Read,	W. L. Vories—10.
J. R. Leslie,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	J. H. Stanley,
Scott Brown,	Duncan Harding,	G. W. Swoope,
F. L. Cleveland,	James W. Hays,	E. W. Turner,
W. A. Cunningham,	R. G. Hays,	H. A. Tyler,
P. F. Edwards,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	S. H. Jenkins,	George Wright—25.
H. F. Finley,		

Mr. Finley moved the following resolution, viz :

*Resolved*, That each Senator shall be allowed to call up and have two bills reported as the Senatorial districts are called, beginning with the first district and continuing to the thirty-eighth.

Which was adopted.

The yeas and nays being required thereon by Messrs. Finley and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	S. H. Jenkins,	J. H. Stanley,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,

H. F. Finley,	R. B. Lovel,	Thos. W. Varnon,
James B. Garnett,	C. N. Pendleton,	W. L. Vories,
Wm. Cassius Goodloe,	Joseph B. Read,	C. J. Walton—18.

Those who voted in the negative were—

Pollock Barbour,	Andrew J. Ewing,	P. A. Lyon,
Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
James Blackburn,	Duncan Harding,	G. W. Swoope,
F. L. Cleveland,	James W. Hays,	H. A. Tyler,
W. A. Cunningham,	R. G. Hays,	George Wright—17.
P. F. Edwards,	John Hyden,	

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to change the county line between the counties of Knox and Bell,

With an amendment thereto.

That they had passed bills of the following titles, viz :

1. An act relating to the New Orleans, St. Louis, and Chicago Railroad Company, a corporation formed of the consolidation of the Mississippi Central and New Orleans, Jackson, and Great Northern Railroad Companies.

2. An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington.

3. An act to incorporate the Walnut Bend Fence Company, in Henderson and Union counties.

4. An act to repeal the charter of the town of Corydon, and reincorporate the same.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 2d to the Committee on Courts of Justice; the 3d to the Committee on Agriculture and Manufactures; the 4th to the Committee on the Judiciary, and the 1st was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Goodloe moved the following resolution, viz :

*Resolved*, That when the Senate adjourn to-night, it be to meet again Wednesday, February 23d, at 9½ o'clock, A. M.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Goodloe and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	C. N. Pendleton,
Scott Brown,	Wm. Cassius Goodloe,	Joseph B. Read,
P. F. Edwards,	S. H. Jenkins,	G. W. Swoope—11.
H. F. Finley,	Sumner Marble,	

Those who voted in the negative, were—

Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—24.

Mr. Pendleton, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to reduce and regulate the salaries of the officers of this Commonwealth,

Reported the same, with the expression of opinion that said bill ought not to pass.

Mr. J. W. Hays moved that said bill be placed in the orders of the day.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Jenkins and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	R. B. Lovel,	E. W. Turner,
W. W. Culbertson,	P. A. Lyon,	W. L. Vories—16.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	B. W. S. Huffaker,	G. W. Swoope,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
P. F. Edwards,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—19.
Joseph Gardner,		

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Pendleton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	C. N. Pendleton,
Wm. J. Berry,	B. W. S. Huffaker,	H. A. Tyler,
Andrew J. Ewing,	S. H. Jenkins,	Thos. W. Varnon,
H. F. Finley,	J. R. Leslie,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—18.

Those who voted in the negative, were—

Thos. J. Barker,	P. F. Edwards,	Joseph B. Read,
James Blackburn,,	Wm. Cassius Goodloe,	Robert Simmons,
Scott Brown,	Duncan Harding,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner—17.
W. A. Cunningham,	R. B. Lovel,	

Mr. J. W. Hays moved to reconsider the vote by which said bill was ordered to be read a third time.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. G. Hays,	C. N. Pendleton,
F. L. Cleveland,	B. W. S. Huffaker,	Robert Simmons,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
Andrew J. Ewing,	S. H. Jenkins,	G. W. Swoope,
H. F. Finley,	J. R. Leslie,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	George Wright—21.

Those who voted in the negative, were

Pollock Barbour,	P. F. Edwards,	Joseph B. Read,
Thos. J. Barker,	Wm. Cassius Goodloe,	E. W. Turner,
James Blackburn,	Duncan Harding,	W. L. Vories,
Scott Brown,	James W. Hays,	C. J. Walton—14.
W. A. Cunningham,	Sumner Marble,	

Mr. Swoope moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Edwards, were as follows, viz :



Those who voted in the affirmative, were—

W. W. Culbertson,	R. B. Lovel,	J. H. Stanley,
P. F. Edwards,	Joseph B. Read,	G. W. Swoope—7.
R. G. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—28.
Joseph Gardner,		

Mr. Barker then moved to commit said bill to the Committee on the Judiciary.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Read, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	W. L. Vories—20.
H. F. Finley,	P. A. Lyon,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Robert Simmons,
Wm. J. Berry,	B. W. S. Huffaker,	G. W. Swoope,
P. F. Edwards,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
Joseph Gardner,	C. N. Pendleton,	George Wright—15.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the salaries of all the public officers of this Commonwealth, whose salaries are paid directly out of the Public Treasury, shall be reduced twenty per cent., except the Governor.

§ 2. This act shall in no way affect officers in office, but shall apply to all such as may hereafter be elected or appointed to office.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Varnon, from the Committee on Privileges and Elections—  
An act for the benefit of Garrard county.

By Mr. Barker, from the Committee on Internal Improvement—  
An act to amend the charter of the Mt. Freedom and Jessamine  
County Turnpike Road Company.

By Mr. Tyler, from the Committee on Courts of Justice—  
An act to authorize Graves county court of claims to issue bonds,  
and to create sinking fund to liquidate the same.

By Mr. Barker, from the Committee on Internal Improvement—  
An act to amend and reduce into one the several acts relating to  
roads in Union county.

By Mr. Tyler, from the Committee on Courts of Justice—  
An act to re-establish the common pleas court in the county of  
Union.

By Mr. Cunningham, from the Committee on Courts of Justice—  
An act to regulate the times of holding the county court of Da-  
viess county.

By Mr. J. W. Hays, from the Committee on the Judiciary—  
An act for the benefit of Allensville voting precinct, in Todd  
county.

By Mr. Tyler, from the Committee on Education—  
An act for the benefit of school district No. 35, of Hickman  
county.

By Mr. Tyler, from the Committee on Courts of Justice—  
An act authorizing Ballard county court to levy an ad valorem  
tax.

By Mr. R. G. Hays, from the Committee on Finance—  
An act for the benefit of W. A. Mahoney, sheriff of Muhlenburg  
county.

By Mr. Simmons, from the Committee on the Judiciary—  
An act to amend the charter of the city of Covington.  
With amendments to the last three named bills.  
Which were adopted.

*Ordered*, That said bills, the last three as amended, be read a third  
time.

The rule of the Senate and the constitutional provision as to the  
third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as  
aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Vories, from the Committee on Penitentiary and House of Reform—

A bill to provide for a deduction of time from the terms of sentence of prisoners confined in the penitentiary.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to amend the act approved 7th December, 1850, entitled "An act to incorporate the Kentucky Agricultural and Mechanical Association at Lexington."

By Mr. Berry, from the Committee on Propositions and Grievances—

A bill to extend the town limits of the town of Morgantown, Butler county.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to amend the charter of the town of Richmond.

By Mr. Garnett, from the Committee on the Judiciary—

A bill for the benefit of T. N. Williams, late assessor of Calloway county.

By same—

A bill for the benefit of R. W. Major, late sheriff of Trigg county, and his sureties.

By same—

A bill to authorize Blount Hodge to appoint John L. Vick executor of the will of him (the said Hodge), and to authorize the said Vick to accept such appointment.

By Mr. Blackburn, from the Committee on Charitable Institutions—

A bill to amend the charter of the Masonic Mutual Benefit Association, of Maysville.

By Mr. Lovel, from the Committee on Propositions and Grievances—

A bill for the benefit of Lewis county.

By Mr. Pendleton, from the Committee on Finance—

A bill incorporating the United Order of Odd Fellows' Mutual Life Insurance Company.

By Mr. Simmons, from the Committee on Education—

A bill for the benefit of common schools in the city of Covington.

By Mr. Lovel, from the Committee on Agriculture and Manufactures—

A bill to incorporate the Smith's Grove Grange Trading and Agricultural Company.

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill to repeal ninth section of an act to amend the charter of the city of Bowling Green, approved 23d day of February, 1874.

By Mr. Simmons, from the Committee on the Judiciary—

A bill to amend the charter of the Covington Transfer Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time, except the first named, which was ordered to be printed and placed in the orders of the day.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Edwards, from the Committee on Propositions and Grievances, to whom had been recommitted

A bill to establish a criminal court in the counties of Daviess, Hancock, Ohio, Meade, Grayson, and Breckinridge,

Reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a court of justice in and for the Fifth Judicial District in this Commonwealth (except as to the county of Hardin), which shall be known as the criminal court for said district, to be a court of record, held by a single judge, who shall have the same qualifications and receive the same salary as the circuit judges of this Commonwealth, which shall be paid him from the State Treasury in like manner. He shall be a conservator of the peace, and have and exercise all the powers of a circuit judge in criminal and penal cases; issuing and receiving the returns and hearing writs of *habeas corpus*, be commissioned and sworn as circuit judges are, and be subject to impeachment and removal in like manner and for like causes.

§ 2. The judge shall be elected at the August election, 1876, and continue in office six years. Vacancies shall be filled in the office of said judge as is provided for circuit courts; and the same practice and fees, as far as applicable, shall prevail in said court as in circuit courts, and said



court shall have a seal bearing its name and the arms of the Commonwealth.

§ 3. The sheriffs, jailers, coroners, and other ministerial officers of said district shall perform all the duties in all cases and proceedings in said court which would otherwise devolve upon them in the circuit court, and they shall be entitled to the same fees therefor; and they and their sureties shall be responsible on their official bonds for their acts in said court. The clerks of the circuit courts in the several counties in said district shall perform all the clerical duties of said court, and shall style themselves the clerks of the criminal court for the county in which each of them may be circuit court clerk, and shall be, with their sureties, responsible on their bonds for the faithful discharge of their duties herein. Immediately after the first day of August, 1876, the said clerks shall transfer all criminal and penal causes from the docket of the circuit court to the docket of the criminal court in each county, which causes shall thereafter be disposed of in said criminal court, and said circuit court shall no longer have cognizance of any criminal or penal causes or plea of the Commonwealth in said district.

§ 4. The said criminal court shall have all the jurisdiction in criminal and penal causes and proceedings which the circuit courts have, and which may be conferred upon said courts; and it shall take the place of the circuit courts in the counties of said district (except Hardin county) in such jurisdiction; and it shall have concurrent jurisdiction with the circuit court in inquests of lunacy and idiocy, and, exclusive of the circuit court, in allowing claims connected with the business of said criminal court.

§ 5. The regular terms of said criminal court shall be held as follows, namely:

In the county of Daviess, in the city of Owensboro; commencing on the 1st Monday of September and March, to continue twenty-four juridical days.

In the county of Ohio, at Hartford; commencing on the 1st Monday in October and April, to continue twelve juridical days.

In the county of Grayson, at Litchfield; commencing on the 3d Monday in November and May, to continue twelve juridical days.

In the county of Breckinridge, at Hardinsburg; commencing on the 1st Monday in December and June, to continue twelve juridical days.

In the county of Meade, at Brandenburg; commencing on the 3d Monday in December and June, to continue twelve juridical days.

In the county of Hancock, at Hawesville; commencing on the 1st Monday in November and May, to continue twelve juridical days.

§ 6. The said court shall extend any of its terms, if the business shall require it, by making an order to that effect on the record at a regular term while in session: *Provided*, Said extension may not interfere with the regular terms in another county; and the court or judge may appoint special terms for any business of the court in the same manner that circuit courts or judges may appoint special terms of such courts.

The said criminal court shall have full power to make all proper rules and regulations to facilitate its business not inconsistent with the constitution and laws of the State, and its judgments and final orders shall be subject to appeals in like manner as those of circuit courts, and it shall have full power to attach for and punish contempts of its authority.

The Commonwealth attorney for said district shall attend each term of said court, and represent the Commonwealth and discharge all the duties

and be entitled to the same compensation as now provided by law for attending circuit court.

§ 7. In the selection and summoning jurors in the trials by jury and payment of jurors in said court, the same shall be governed by the laws at this date applicable to circuit courts. The circuit courts in said counties, at the term in each county next preceeding the time that this act takes effect, shall cause jurors to be selected in the same manner required by law for the first term of the criminal court in such county, and make all bail bonds and recognizances taken at such term of the circuit court returnable for the appearance of the party bound to appear at such first term of the criminal court; and all magistrates and examining courts in each county shall, after this act takes effect, make all bail and peace bonds and recognizances returnable to the criminal court for such county.

§ 8. Special judges for said criminal court may be elected for the same causes and in the same manner as in the circuit courts; and the provisions of the law in relation to record books, presses, seals, stationery, and other expenses in circuit courts, shall be applicable to this court.

§ 9. All reports and returns required to be made to the circuit court by circuit court clerks, county clerks, county court judges, police judges, justices of the peace, sheriffs, marshals, constables, and all civil officers and other persons having fines and forfeitures or other funds in their hands belonging to the jury fund, shall be made exclusively to the criminal court; and all the powers and duties of the circuit court respecting the same are hereby transferred exclusively to the criminal court.

§ 10. Nothing herein shall be so construed as to take from the circuit court the power to make provision for the payment of the jurors of the circuit court.

§ 11. The judge of the circuit court in the Fifth Judicial District may hold the criminal court in the counties aforementioned, or preside for the trial of any action pending therein, if the judge of the criminal court be absent or can not preside from any cause. In case neither the regular judge nor circuit judge is present, or, if present, can not properly preside, an election of a special judge may be held in the same manner prescribed by law for the election of a special judge in the circuit courts; and the law in relation to compensation of a special judge in the circuit court shall apply to the case of a special judge in this court. The criminal judge may also preside in the circuit court as judge or chancellor whenever the regular judge is absent or can not preside.

§ 12. All laws within the purview of this act, and inconsistent herewith, are repealed after this act goes into effect, which shall be on the first Monday in August next, and continue in force six years.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

† The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,

W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton—32.
James B. Garnett,	Sumner Marble,	

Those who voted in the negative, were—

H. F. Finley, George Wright—2.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Pendleton, from the Committee on Finance, to whom had been referred a bill from the House of Representatives, entitled

An act for the benefit of Henry F. Cornelius, A. Cornelius, and J. W. Gooch,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, The Commonwealth of Kentucky, on the —— day of June, 1874, in the Franklin circuit court, obtained a judgment against George, P. Gillum, sheriff of Logan county, and Henry F. Cornelius, J. W. Bowling, A. Dorris, L. Bennett, J. C. Price, A. Cornelius, and J. H. Gooch, sureties, for the sum of ten thousand and fifty-seven dollars and seventy cents, with interest at the rate of ten per cent. per annum from the first day of June, 1873, until paid, being for the revenue of 1873; and whereas, all of said judgment was paid into the Treasury, and of the total amount said A. Cornelius, Henry F. Cornelius, and J. H. Gooch paid out of their own means the sum of nineteen hundred and sixty-five dollars and forty-two cents, the said sheriff being insolvent; and whereas, the interest on said sum paid was eight hundred and thirty-eight dollars and fifteen cents, from June 1, 1873, to April 1, 1874, the day of default. Now, to remedy the hardship of the case—

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby ordered to draw his warrant on the Treasurer in favor of said Henry F. Cornelius, A. Cornelius, and J. H. Gooch, for the sum of eight hundred and thirty-eight dollars and fifteen cents, payable out of any money not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,



W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—34.
James B. Garnett,		

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined an enrolled resolution, which originated in the House of Representatives, entitled

Resolution appropriating money to defray the expenses of the contested election case of Prichard vs. Culbertson, and for other purposes.

And had found the same truly enrolled.

Said resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and it was delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Mr. Jenkins, from the Committee on Internal Improvement, to whom was referred leave to bring in

A bill to provide for rebuilding the State bridge across Green river, at Rio, Hart county,

Asked to be discharged from the further consideration of said leave.

Mr. Goodloe moved that the committee be directed to report said bill.

Pending the consideration of which motion, at twenty minutes before 11 o'clock, P. M., Mr. Barker moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
F. L. Cleveland,	James W. Hays,	Robert Simmons,
P. F. Edwards,	B. W. S. Huffaker,	G. W. Swoope,



Andrew J. Ewing,	John Hyden,	E. W. Turner,
H. F. Finley,	J. R. Leslie,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	W. L. Vories—21.

Those who voted in the negative, were—

James Blackburn,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	R. G. Hays,	C. J. Walton,
W. W. Culbertson,	S. H. Jenkins,	George Wright—9.

And then the Senate adjourned.

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## TUESDAY, FEBRUARY 22, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed an enrolled resolution, which originated in the House of Representatives, entitled

Resolution appropriating money to defray the expenses of the contested election case of Prichard vs. Culbertson, and for other purposes.

That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of W. A. Mahon, sheriff of Muhlenburg county.

An act authorizing Ballard county court to levy an ad valorem tax.

An act to amend the charter of the city of Covington.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to establish a criminal court in the 6th judicial district and Hardin county.

An act regulating the jurisdiction of the circuit court for the 9th judicial district.

An act to establish a criminal court in the counties of Daviess, Hancock, Ohio, Meade, Grayson, and Breckinridge.

That they had passed bills of the following titles, viz :

1. An act authorizing court of claims of Hancock county to levy an additional ad valorem tax of twenty cents.

2. An act for the benefit of the tax-payers of Hardin county.

3. An act to amend an act, entitled "An act to incorporate the Mt. Sterling Coal Road Company."

4. An act to amend an act, entitled "An act to incorporate the Stony Point and Seamand's Mills Turnpike Road Company, of Bourbon county."

5. An act to empower the county court of Henry county to levy an ad valorem tax of fifteen cents on the one hundred dollars for county purposes.

6. An act to amend the charter of the town of Lockport, in Henry county.

7. An act to amend the revenue laws, and to re-enact certain sections of chapter 2060, Session Acts of 1869, entitled "An act to amend the revenue laws," approved 15th March, 1869.

8. An act for the benefit of John E. Abbott, sheriff of Hart county, and to authorize the Auditor to settle with him, and credit him by certain sums and certain judgments.

9. An act in aid of common school districts Nos. 62 and 67, Hopkins county.

10. An act to increase the jurisdiction of justices of the peace in Jefferson county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 7th, and 8th to the Committee on Finance; the 2d and 6th to the Committee on the Judiciary; the 3d to the Committee on Railroads; the 4th to the Committee on Internal Improvement; the 5th and 10th to the Committee on Courts of Justice, and the 9th to the Committee on Education.

The following petitions and remonstrances were presented, viz :

By Mr. Swoope—

1. Petition of sundry citizens of Owensboro, praying the passage of a bill authorizing the German American School Association to sell certain property.

By Mr. Lindsay—

2. Petition of sundry citizens of Owen county, praying a charter for the Tried Centennial Templars.

By Mr. Pendleton—

3. Remonstrance of certain citizens of Christian county against the passage of an act taxing the people for turnpike road purposes.

By Mr. Harding—

4. Remonstrance of citizens of Carlisle, Nicholas county, against the establishing of a graded school in said town.

By Mr. Gardner—

5. Remonstrance of citizens of Menifee county against the repeal of the charter of the Licking River Lumber and Mining Company.

By same—

6. Remonstrance of certain citizens of Breathitt county against the formation of the county of Helm.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on General Statutes and Codes of Practice; the 2d to the Committee on Charitable Institutions; the 3d to the Committee on Internal Improvement; the 4th to the Committee on Education; the 5th to the Committee on the Judiciary, and the 6th to the Committee on Propositions and Grievances.

Leave was given to bring in the following bill, viz:

On motion of Mr. R. G. Hays—

1. A bill for the benefit of the Fourth Presbyterian Church of Louisville.

On motion of Mr. Simmons—

2. A bill providing for the expiration of tavern and coffee-house licenses on the 1st day of May in each year.

On motion of Mr. Swoope—

3. A bill for the benefit of the German American School Association, of Owensboro, Kentucky.

*Ordered*, That the Committee on Finance prepare and bring in the 1st; the Committee on the Judiciary the 2d, and the Committee on General Statutes and Codes of Practice the 3d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to prevent stock from running at large in the counties of Bracken, Pendleton, Grant, and Harrison.

By same--

An act to incorporate the Farmers' Home Mutual Aid Association, of Fleming county.

By Mr. Culbertson, from the Committee on Agriculture and Manufactures--

An act to authorize the purchase of the property of the Red River Iron Manufacturing Company, or organize as a new corporation.

By Mr. Cleveland, from the Committee on Appropriations--

An act to improve the navigation of the South Fork of the Kentucky river in Clay county, on the narrows of said river.

*Ordered*, That the last named bill be made the special order of the day for to-morrow, at 11 o'clock, A. M., and from day to day thereafter until disposed of, and that all the others be severally read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cleveland, from the Committee on Appropriations--

A bill for the benefit of C. C. Hanks, sheriff of Wolfe county, allowing him further time to execute bond.

By Mr. Gardner, from the Committee on Appropriations--

A bill for the benefit of the Wolfe court of claims, legalizing the acts of said court.

By same--

A bill for the benefit of Jacob Howerton, of Lee county.

By same--

A bill for the benefit of the sheriff of Powell county.

By Mr. Cleveland, from the Committee on Appropriations--

A bill incorporating the Fourth Presbyterian Church of Louisville.

By Mr. Barbour, from the Committee on Banks and Insurance--

A bill to incorporate the Louisville Abstract and Loan Association.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.



The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed.

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Finley, leave of absence, indefinitely, was granted Mr. Walton.

Mr. Vories read and laid on the table a joint resolution.

The rule of the Senate requiring a joint resolution to lie one day on the table being suspended, said resolution was taken up and read as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the resolution in relation to printing the addresses on the death of Gen. John C. Breckinridge be amended as follows: Strike out the words "in pamphlet form, with paper covers," and insert in lieu thereof the words "bound in board."

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—29.
James B. Garnett,	Sumner Marble,	

Those who voted in the negative, were—

H. F. Finley, B. W. S. Huffaker—2.

Mr. R. G. Hays moved the following resolution, viz :

WHEREAS, The Senate having determined by resolution to hold night sessions during the remainder of the session; therefore, be it

*Resolved by the Senate*, That the Clerk of the Senate be allowed one additional Clerk to aid him in keeping the business of the Senate up to time, and that he be allowed a fair compensation for his services.

Which was adopted.

Mr. Goodloe read and laid on the table the following joint resolution, viz :

WHEREAS, It is represented to this General Assembly that S. L. Chevis, a citizen of Lexington and late contractor for the building of a portion of

the new addition to the Eastern (now First) Lunatic Asylum, at Lexington, did not receive the full pay to which it is alleged he was justly entitled; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Governor be, and he is hereby, empowered and requested to appoint three commissioners upon the part of the State, with full power to send for persons and papers, and report to the General Assembly if, in their opinion, the State is indebted to said Chevis in any sum, and if indebted, to what amount: *Provided,* That said Commissioners shall consent to serve without any expense to the State.

The rule of the Senate requiring a joint resolution to lie one day on the table being dispensed with, said resolution was taken up, twice read, and adopted.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, to whom was referred a resolution from the House of Representatives, entitled

Resolution to provide for the erection of stable on public grounds adjacent to Executive Mansion,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
James Blackburn,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories—26.
Joseph Gardner,	Sumner Marble,	

Those who voted in the negative, were—

H. F. Finley, George Wright—2.

Said resolution reads as follows, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the plans and specifications of Mr. John Haly for the Governor's stable be adopted, and that the amount of \$1,000 recommended in said specifications, or so much thereof as is necessary, be appropriated for that purpose, and that the Governor is hereby authorized to advertise for bids, and the Auditor is hereby directed to draw his warrant upon the Treasurer for \$1,000, or so much as is necessary to complete said work.

*Resolved,* That the title of said resolution be as aforesaid.

Mr. Cleveland moved the following resolution, viz :

WHEREAS, This is the 22d day of February, 1876, the centennial year of our independence as a nation, and the birthday of Washington ; therefore,

*Resolved*, That out of respect to the memory of Washington, the Senate do now adjourn until to-morrow morning at 9½ o'clock, A. M.

Mr. J. W. Hays moved to amend said resolution by striking out the words "do now" therein, and insert in lieu thereof the words "at two o'clock, P. M., do."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Read moved to amend said resolution by striking out the words "do now" therein, and insert in lieu thereof the words "at twelve o'clock, M., do."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. J. W. Hays then moved to postpone the further consideration of said resolution in order to take up the resolution heretofore proposed by Mr. Hodge, entitled

Resolution to extend the present session of the General Assembly beyond the constitutional limit of sixty days.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The Senate then took up for consideration the resolution proposed heretofore by Mr. Hodge.

Said resolution reads as follows, viz :

WHEREAS, It is evident that, in the limited time remaining of the constitutional term, it is impossible that the measures of public importance now before the General Assembly can be acted on, and great detriment to the public service must inevitably result from the failure to perfect them ; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the session of this General Assembly be extended beyond the sixty days to which it is limited by the Constitution.

The question was then taken on the adoption of said resolution, and it was decided in the negative, not having received the two-thirds majority required by the Constitution.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Scott Brown,	John Hyden,	Robert Simmons,



F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	J. R. Leslie,	G. W. Swoope,
P. F. Edwards,	D. H. Lindsay,	E. W. Turner,
H. F. Finley,	R. B. Lovel,	W. L. Vories—23.
James B. Garnett,	Sumner Marble,	

Those who voted in the negative, were

Thos. J. Barker,	Joseph Gardner,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	H. A. Tyler,
W. W. Culbertson,	R. G. Hays,	Thos. W. Varnon,
Andrew J. Ewing,	B. W. S. Huffaker,	George Wright—12.

The Senate then resumed the consideration of the resolution proposed by Mr. Cleveland.

And the question being taken on the adoption of said resolution, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Joseph Gardner,	Sumner Marble,
Scott Brown,	James B. Garnett,	C. N. Pendleton,
F. L. Cleveland,	Wm. Cassius Goodloe,	Joseph B. Read,
W. A. Cunningham,	Duncan Harding,	G. W. Swoope,
P. F. Edwards,	S. H. Jenkins,	E. W. Turner—17.
H. F. Finley,	D. H. Lindsay,	

Those who voted in the negative were—

Pollock Barbour,	R. G. Hays,	Robert Simmons,
Thos. J. Barker,	B. W. S. Huffaker,	J. H. Stanley,
James Blackburn,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
James W. Hays,	P. A. Lyon,	George Wright—18.

Mr. Gardner moved to reconsider the vote by which the Senate had refused to adopt the resolution proposed by Mr. Hodge, entitled

Resolution to extend the present session of the General Assembly beyond the constitutional limit of sixty days.

Which motion was simply entered.

The Senate, according to order, took up for consideration

A bill to establish a State Board of Health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

*Ordered*, That the further consideration thereof be postponed until to-morrow at 10½ o'clock, A. M., and from day to day until disposed of.



The Senate resumed the consideration of the unfinished report of yesterday from the Committee on Banks and Insurance, it being

A bill to amend chapter 60 of the General Statutes, entitled "Interest and Usury."

Said bill was engrossed and read a third time.

At 11½ o'clock, A. M., Mr. Swoope moved that the Senate do now adjourn until to-morrow morning at 9½ o'clock.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Finley, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	Duncan Harding,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	G. W. Swoope,
H. F. Finley,	S. H. Jenkins,	E. W. Turner,
Joseph Gardner,	Sumner Marble,	Thos. W. Varnon—16.
James B. Garnett,		

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	P. A. Lyon,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	George Wright—17.
Andrew J. Ewing,	R. B. Lovel,	

The Senate, according to order, took up for consideration

A bill to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That whenever the county court of any county in this Commonwealth shall, by virtue of any power conferred by law, order and direct an ad valorem tax to be assessed, levied, and collected in said county, it shall be the duty of the assessor of said county to proceed to assess, at his regular assessment, all the property in said county not specifically exempted from taxation by virtue of section 3, article 1, chapter 92, of General Statutes, title "Revenue and Taxation."

§ 2. That it shall be the duty of the chief officer or agent of any railroad company, bank, mining, or manufacturing company, toll-bridge or turnpike road company, any gas or water company, or association, or any other incorporated person or persons or company doing business or owning property in said county, residing in said county, to list or cause to be listed with the assessor of said county all the property of said railroad, bank, mining, manufacturing, toll-bridge, turnpike road, gas or water company, or other incorporated person or company situate in said county; but if they fail or refuse to do so upon demand made upon them by the assessor, then the assessor shall list the same, and shall add twenty-five per centum

to the value as a penalty for such refusal; but if no officer or agent of any of said companies reside in said county, then the assessor shall ascertain the value of said property and list the same.

§ 3. That all the property thus listed and assessed shall be subjected to an equal and uniform rate of tax.

Mr. Swoope moved to amend said bill by striking out the words "manufacturing company" where they occur therein.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	P. F. Edwards,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	G. W. Swoope,
W. W. Culbertson,	D. H. Lindsay,	Thos. W. Varnon—9.

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	George Wright—20.
H. F. Finley,	P. A. Lyon,	

Mr. Tyler then moved to amend said bill by adding thereto the following as an additional section, viz :

"This act shall take effect and be in force from and after its passage, except as to such incorporated companies as by the terms of their charter are exempt from taxation, and as to them, to take effect from and after the term of exemption therein prescribed shall expire."

Pending the consideration of which amendment, the hour of twelve o'clock, M., having arrived, further action thereon was cut off by bills in the orders of the day.

Mr. Swoope then moved that the Senate do now adjourn until 9½ o'clock to-morrow morning.

Mr. Simmons moved to amend said motion as follows :

"That the Senate do now adjourn until 7½ o'clock, this evening."

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simmons and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

R. B. Lovel,	Robert Simmons,	W. L. Vories—5.
Sumner Marble,	J. H. Stanley,	

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	J. R. Leslie,
Thos. J. Barker,	Joseph Gardner,	D. H. Lindsay,
Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Wm. Cassius Goodloe,	Joseph B. Read,
Scott Brown,	Duncan Harding,	G. W. Swoope,
F. L. Cleveland,	James W. Hays,	E. W. Turner,
W. W. Culbertson,	R. G. Hays,	H. A. Tyler,
W. A. Cunningham,	B. W. S. Huffaker,	Thos. W. Varnon,
P. F. Edwards,	S. H. Jenkins,	George Wright—28.
Andrew J. Ewing,		

The question was then taken on the adoption of the motion made by Mr. Swoope, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Harding, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Joseph Gardner,	P. A. Lyon,
Scott Brown,	James B. Garnett,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	Joseph B. Read,
W. W. Culbertson,	Duncan Harding,	J. H. Stanley,
W. A. Cunningham,	R. G. Hays,	G. W. Swoope,
P. F. Edwards,	S. H. Jenkins,	E. W. Turner,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon—21.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Thos. J. Barker,	B. W. S. Huffaker,	H. A. Tyler,
James Blackburn,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	George Wright—10.

And then the Senate adjourned.

## WEDNESDAY, FEBRUARY 23, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

An act incorporating the Fourth Presbyterian Church of Louisville.

An act to incorporate the purchasers of railroads.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to amend chapter 79 of the General Statutes, title "Militia."

That they had passed a bill and adopted a resolution of the following titles, viz :

An act to tax the accumulated surplus fund of banks and other moneyed corporations of loan and discount in this Commonwealth.

Resolution appropriating money to W. H. Gillis.

Which bill was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with, it was referred to the Committee on Finance, and the resolution to the Committee on Claims.

The following petitions and remonstrances were presented, viz :

By Mr. Blackburn—

1. Petition of sundry citizens of the city of Frankfort, praying for the repeal of a law passed at the present session amending the charter of the city of Frankfort.

By Mr. Ewing—

2. Petition of sundry citizens of the counties of Rowan, Bath, and Menifee, asking the repeal of the charter of the Licking River Lumber and Mining Company.

By Mr. Pendleton—

3. Remonstrance of sundry citizens of Christian county, against the passage of a law imposing a tax upon the tax-payers of said county in aid of turnpike roads.



By Mr. Gardner—

4. Remonstrance of certain citizens of Breathitt county against the formation of the county of Helm out of parts of Breathitt, Perry, and Owsley.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Courts of Justice; the 2d to the Committee on the Judiciary; the 3d to the Committee on Agriculture and Manufactures, and the 4th was placed in the orders of the day.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of the tax-payers of Hardin county.

By Mr. Stanley, from the Committee on Agriculture and Manufactures—

An act to incorporate the Walnut Bend Fence Company, in Henderson and Union counties.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous, malt, or vinous liquors in Glasgow, or within one mile from the outside boundary thereof.

By Mr. J. W. Hays, from the Committee on Religion and Morals—

An act to regulate the sale of spirituous, vinous, and malt liquors in the town of Shelbyville.

By Mr. Cunningham, from the Committee on the Judiciary—

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Mount Sterling.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate Anchorage Presbyterian Church;

An act to repeal the charter of Big Spring, in the counties of Meade, Hardin, and Breckinridge;

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad ;"

An act to repeal an act, entitled "An act for the preservation and production of game and fish in Bourbon county," approved January 22, 1874;

An act incorporating the Home Savings Bank of Winchester, Kentucky;

An act to incorporate the Agricultural Bank of Paris, Kentucky;

An act to provide and maintain public schools in Cloverport, Breckinridge county;

An act to amend an act, entitled "An act to incorporate the Richmond, Irvine and Three Forks Railroad," approved February 28, 1873;

An act for the benefit of the Kentucky Mutual Benefit Association, of Maysville, Kentucky;

An act to repeal the charter of the Louisville, Memphis, and New Orleans Railroad;

An act to amend the charter of the Mt. Freedom and Jessamine County Turnpike Road Company;

An act to amend an act, entitled "An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris;"

An act changing the times of holding quarterly courts in Bourbon county;

An act for the benefit of Garrard county;

An act incorporating the Clintonville Cemetery Company, of Bourbon county;

An act to repeal the act incorporating the town of Milford, in Bracken county;

An act for the benefit of Noel Simmons, sheriff of Bullitt county;

An act to authorize the Lawrence county court to levy an additional tax for road and bridge purposes, and for public improvement;

An act for the benefit of the Daily Volksblatt, of Louisville Kentucky;

An act to allow the voters of Marshall county to vote on the question of removing the county seat of Marshall county;

An act relating to the New Orleans, St. Louis, and Chicago Railroad Company, a corporation formed of the consolidation of the Mississippi Central and New Orleans, Jackson, and Great Northern Railroad Companies;

An act for the benefit of James V. Payne, sheriff of Fleming county;

An act to regulate the time of holding the circuit courts in the 2d judicial district;

And bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the town of Glencoe, in Gallatin county;

An act to legalize the action of the Livingston county court at its October term, 1872;

An act for the benefit of F. M. Woosley, sheriff of Edmonson county;

An act to reduce into one and amend and digest the acts and amendatory acts incorporating the city of Augusta, in Bracken county;

An act regulating the jurisdiction of the circuit court for the ninth judicial district;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Leave was given to bring in the following bills, viz:

On motion of Mr. Blackburn—

1. A bill to create a State Board of Internal Improvement Commissioners, and to authorize the employment of convict labor on the navigable rivers in the State.

On motion of Mr. Harding—

2. A bill for the benefit of school district No. 30, in Nicholas county.

On motion of same—

3. A bill for the benefit of school district No. 12, in Robertson county.

On motion of Mr. Marble—

4. A bill to incorporate the Kentucky Agricultural Company.

On motion of same—

5. A bill to incorporate the Princeton Bank.

On motion of same—

6. A bill to provide for making an index and cross-index to all

causes heretofore pending in the Crittenden circuit court and Crittenden court of common pleas, and also to all causes now pending in said court.

On motion of Mr. Barbour—

7. A bill to incorporate the Worthington and Anchorage Turnpike Road Company.

On motion of Mr. Garnett—

8. A bill for the benefit of J. T. Greer.

On motion of Mr. Stanley—

9. A bill for the benefit of D. N. Walden, of Henderson, Kentucky.

On motion of Mr. Lovel—

10. A bill for the benefit of W. W. Weedon, jailer of Mason county.

On motion of Mr. Swoope—

11. A bill to incorporate the Grassy Flat Ditch Company, of Daviess county.

*Ordered*, That the Committee on Penitentiary and House of Reform prepare and bring in the 1st; the Committee on Education the 2d and 3d; the Committee on Agriculture and Manufactures the 4th; the Committee on Banks and Insurance the 5th; the Committee on the Judiciary the 6th and 8th; the Committee on Internal Improvement the 7th; the Committee on Finance the 9th; the Committee on Propositions and Grievances the 10th, and the Committee on General Statutes and Codes of Practice the 11th.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to amend chapter 92 of the General Statutes, entitled "Revenue and Taxation."

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed and recommitted to the Committee on Finance.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to authorize the citizens of the Garnettsville precinct, in Meade county, to vote upon the question of licensing taverns to sell spirituous, vinous, and malt liquors.

Which was granted.



The vote by which the Senate had passed said bill, as also the votes dispensing with the third reading and that ordering it to be read a third time, were reconsidered.

*Ordered*, That said bill be referred to the Committee on Religion and Morals.

The Speaker laid before the Senate the following communication, from the Auditor, viz :

STATE OF KENTUCKY,  
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS, }  
FRANKFORT, Feb. 22, 1876.

HON. J. C. UNDERWOOD, *Lieutenant Governor and Speaker of the Senate* :

SIR : I feel it to be my duty to call the attention of the General Assembly to the importance of some immediate legislation on the subject of the execution of Sheriff's bonds. Up to this date only 67 good statutory bonds have been executed and forwarded to this department, as required by law, whilst 16 bonds have been received which are not good; and from the other 36 counties no bonds of any kind have been received. It is, therefore, exceedingly important that some legislation be had at once, giving Sheriffs further time in which to execute new bonds. Otherwise, the State will be put to great inconvenience and perhaps serious loss. The Court of Appeals has decided that a Sheriff's bond not executed within the time prescribed by law is not a good statutory bond—it may be a good common law bond. If the State should be compelled to sue on such bonds as common law bonds, the necessity would devolve on the State to prove the amount of taxes collected by Sheriffs before judgments could be rendered against them and their securities. This would be an immense trouble and exceedingly expensive, costing in many counties half as much as the taxes collected.

It is equally important that some legislation should be had to compel Sheriffs to execute their revenue bonds within the time prescribed by the statutes. This can only be accomplished by imposing a heavy penalty on them in the event of their failure to do so. The court of Appeals has decided that no Sheriff can be ejected from his office without proper proceedings, including trial and conviction. This would be too tedious and protracted to be of any essential benefit to the State. (See *Stokes v. Kirkpatrick*, 1st Metcalfe, page 140; see also 2d and 3d Metcalfe, pages 293 and 237.)

The consequence is we have now Sheriffs, or have had, without revenue bonds, and who refused to execute such bonds. Sheriffs ought to be compelled to execute revenue bonds or resign, so that others may be appointed who will execute all of the bonds required by law.

There are very few counties in the State where a responsible and competent man can be found who will accept the position of revenue collector

for the reason that the commissions paid will not sufficiently compensate them for their time, labor, and responsibility. Hence the importance of some stringent legislation on this subject.

I have the honor to be, very respectfully,  
D. HOWARD SMITH, *Auditor*.

The Speaker laid before the Senate the response of the Keeper of the Penitentiary to a Senate resolution calling on him for certain information.

Said response reads as follows, viz :

KENTUCKY PENITENTIARY, }  
February 22d, 1876. }

HON. JOHN C. UNDERWOOD, *Speaker of the Senate* :

DEAR SIR: In response to a resolution adopted by the Senate on the 21st inst., I herewith present the information required of me, viz :

There are, on this day, nine hundred and eleven prisoners now in confinement in the Penitentiary. There are six hundred and eighty-four cells in the prison, which cells are six feet eight inches long, four feet wide, and seven feet high. One hundred and eight of these cells have been pronounced by the physicians unfit for sleeping apartments for convicts, but I am compelled to use them on account of the great number of prisoners and the lack of more cells. The cells were originally intended for one person only, but I am forced to the necessity of putting two convicts in many of them.

The State owns about four acres of land adjacent the Penitentiary, which, if in the proper shape, would be sufficient to erect the necessary extension of the wall upon; but it is not in the proper shape. It would require the purchase of only a small piece of ground to procure the necessary grounds for the extension. It will probably cost one hundred and fifty thousand dollars to erect the necessary extension of the prison wall, the necessary cells, and workshops. But little additional machinery is required.

Very respectfully,  
J. W. SOUTH,  
*Keeper Kentucky Penitentiary.*

Which was ordered to be printed, and referred to the Committee on Penitentiary and House of Reform.

Mr. R. G. Hays, from the Committee on Finance, to whom was recommitted

A bill for the benefit of Thomas Shanks, sheriff of the county of Jefferson,

Reported the same without amendment.

*Ordered*, That the further consideration of said bill be postponed until to-morrow at 10 o'clock, A. M.

Mr. Barbour, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Williamstown Deposit Bank,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established a bank of deposit in Williamstown, Kentucky, with a capital of fifty thousand dollars, in shares of one hundred dollars each, to be subscribed and paid as hereinafter provided ; and the subscribers, their associates and assigns, shall be a body-politic and corporate, by the name and style of the "Williamstown Deposit Bank," and shall so continue for twenty years from the passage of this act; and shall be capable of contracting and being contracted with, of suing and being sued, of impleading and being impleaded, of answering and defending, in all courts and places whatsoever. It may have a common seal, and change and renew the same at pleasure.

§ 2. Said bank shall be under the direction and control of seven directors, who shall be stockholders ; and after the first election shall be elected every two years on the first Monday of January after the first election, and on the first Monday of January every two years thereafter, and hold office until their successors are elected and qualified ; they shall elect one of their number president, and shall hold regular meetings at such times as may be fixed by the by-laws ; and other meetings may be held when deemed necessary. And in case of the death or resignation of any director, the vacancy shall be filled by the board of directors. The directors shall have power to receive subscriptions for so many of the shares of the stock of said company remaining unsold as they may at any time choose to sell ; to declare dividends of the profits arising out of the business, and to appoint such officers, agents, and servants as they may deem necessary to conduct the business of the bank, and pay them such sums as wages and salaries, and take from them such bond, to secure the faithful performance of their duties, as they shall think proper and reasonable ; the stock shall be deemed personal property, and shall be assignable according to such rules as the board of directors shall, from time to time, establish.

§ 3. C. P. Hogan, John Webb, Thomas M. Combs, William Points, C. D. Reed, Thomas Clark, and E. H. Smith, are hereby appointed commissioners, any two of whom may open books and receive subscriptions for the capital stock ; and when one hundred shares have been subscribed, it shall be their duty to give notice, by printed advertisement or otherwise, and appoint a day for the election of a board of directors, who shall hold their office until the ensuing election. The payment for the shares subscribed shall be made as follows : Five dollars on each share at the time of subscribing, and twenty dollars on each share within ten days after the election of the first board of directors, and the residue in installments of twenty-five dollars on each share every sixty days : *Provided*, That after five thousand dollars shall have been paid the board of directors shall have power to prolong the time for the payment of the residue ; and should any of the subscribers fail to pay their subscriptions of stock as herein provided, after giving notice to them of their intention for thirty



days, the directors may, by resolution entered on their records, forfeit such stock, and resell the same at such time as they may deem expedient; and all partial payments made on any stock shall be then forfeited, and shall be held for the benefit of the defaulting stockholder after deducting the amount of unpaid calls. Said corporation may commence business so soon as five thousand dollars shall have been paid in, and the president and directors first elected shall have made oath to the facts of such payment before some judge or justice.

§ 4. Said bank may receive deposits of gold, silver, bank notes, and other notes that may be lawfully circulating as money, and repay the same in such manner, at such times, and with such interest, not exceeding the rate of six per cent. per annum, as may be agreed upon with the depositors by special or general contract; may deal in the loaning of money, exchange, promissory notes, and other evidences of debt; take personal and other securities for the payment thereof, and dispose of the latter as may be agreed upon in writing, at the time of the contract; and the deposit of said securities in all respects as natural persons may do under the law.

§ 5. The said corporation may acquire, hold, possess, use, occupy, and enjoy all such real estate, goods and chattels, as may be convenient for the transaction of business, or which may be conveyed to it as security for any debt, or purchased in satisfaction of any debt, judgment or decree; and sell and convey the same; and they may make such by-laws for their government as they may deem necessary: *Provided*, The same be not contrary to the constitution and laws of this State or of the United States.

§ 6. It shall not be lawful for said bank to issue any note or bill to be passed and used as currency.

§ 7. The General Assembly shall have the right to examine the affairs of said corporation by any committee they may appoint for the purpose.

§ 8. This act shall take effect from its passage; but the General Assembly reserves the right to repeal or modify at pleasure this act.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	C. N. Pendleton,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton—26.
P. F. Edwards,	Sumner Marble,	

Those who voted in the negative, were—

H. F. Finley,	B. W. S. Huffaker,	H. A. Tyler,
James B. Garnett,	S. H. Jenkins,	George Wright—6.

*Resolved*, That the title of said bill be as aforesaid.



The Senate, according to order, took up for consideration

A bill to establish a State Board of Health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of Health,

Together with the amendment as a substitute therefor proposed by Mr. J. W. Hays.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a Board is hereby established, which shall be known under the name and style of the State Board of Health. It shall consist of seven members, as follows: six members who shall be appointed by the Governor, with the consent of the Senate, and a Secretary, to be elected as hereinafter provided.

§ 2. The State Board of Health shall have the general supervision of all interests affecting the health and life of the citizens of this State; shall especially study and condense the vital statistics of this State, and make use of the collected records of deaths and of sickness among the people; shall make sanitary investigations and inquiries respecting the causes of disease, and especially of epidemics; the causes of mortality, and the effects of localities, employments, habits, conditions, ingesta, and circumstances on the health of the people. They shall, when required, or when they deem it best, advise with officers of the Government, or other State Boards, in regard to the location, drainage, water-supply, disposal of excreta, heating, and ventilation of any public institution or building within the limits of this Commonwealth; and may, in their discretion, recommend standard works on the subject of hygiene for the use of the public schools of the State.

§ 3. The Board shall meet semi-annually in January and July of each year. The January meeting shall be held in the city of Frankfort, and the July meeting at such place as may be agreed on by the Board, and at such other places and times as they may deem expedient. A majority shall be a quorum for the transaction of business. They shall choose one of their number to be their President, and may adopt rules and by-laws subject to, and not inconsistent with, this act. They are empowered to send their Secretary, or a committee composed from the Board, to any part of the State, when they may deem it necessary, to investigate the cause of any special disease or unusual epidemic or mortality.

§ 4. At their first meeting, or as soon as a competent and suitable person can be secured, the Board shall elect a Secretary, who shall, by virtue of such election, become a member of the Board, and *ex-officio* its executive officer. The Board may elect one of their own number Secretary, in which case the Governor shall appoint another member to complete the full number of the Board.

§ 5. The Secretary shall hold his office so long as he shall faithfully discharge the duties thereof, but may be removed at the discretion of the Board at any of their regular meetings, a majority of said Board concurring in his removal. The Secretary shall keep his office at Frankfort, and shall perform the duties prescribed by this act in relation to him, or as required by the Board. He shall keep a true and correct record of the proceedings of the Board; shall have the custody of all books, papers, and documents, and other property belonging to the Board which may be,

deposited in his office; shall, as far as practicable, communicate with other State Boards of Health, and with the Local Boards of Health within this State; shall keep and file all reports received from such Boards, and all correspondence of the office appertaining to the business of the Board; he shall, so far as possible, aid in obtaining contributions to the library and museum of said Board; he shall prepare blank forms of returns, and such instructions as may be necessary, and forward them to the Clerks of the several Boards of Health throughout the State; he shall collect information concerning vital statistics, knowledge respecting diseases, and all useful information on the subject of hygiene, and through an annual report, and otherwise, as the Board may direct, shall disseminate such information among the people.

§ 6. The Secretary shall receive an annual salary, which shall be fixed by the State Board of Health, not exceeding, however the sum of \_\_\_\_\_ dollars. The Board shall certify quarterly the amount due him; and, on presentation of said certificate, the Auditor of State shall draw his warrant on the State Treasurer for the amount. The members of the Board shall receive no *per diem* compensation for their services; but their traveling and other necessary expenses while employed on the business of the Board shall be allowed and paid: *Provided, however,* That a written statement, setting forth said expenses, shall be signed and sworn to by the member or members of said Board, certified to by the President of said Board, and shall be presented to the Auditor, when he shall draw his warrant as hereinbefore provided.

§ 7. The sum of four thousand dollars per annum, or so much thereof as may be deemed necessary by the State Board of Health, is hereby appropriated to pay the salary of the Secretary, meet the contingent expenses of the office of the Secretary, and the expenses of the Board, which shall not exceed the sum hereby appropriated. Said expenses shall be certified and paid as hereinbefore directed.

§ 8. It shall be the duty of the health physician, and also of the Clerks of the Local Boards of Health in each county, city, and village in this State, at least once in each year, to report to the State Board of Health their proceedings and such other facts required, on blanks and in accordance with instructions received from State Board of Health. They shall also make special reports when requested by said Board.

§ 9. The six members first appointed by the Governor, under the provisions of this act, shall be so designated by him that the term of office of two shall expire every two years on the last day of January. Thereafter the Governor, with the consent of the Senate, shall biennially appoint two members, to hold their office for six years ending January 31st. Any vacancy occurring in said Board may be filled, until the next regular session of the General Assembly, by the Governor, and then by the Governor with the consent of the Senate.

§ 10. It shall be the duty of all officers of the State, the physicians of all incorporated companies, and the president or agent of any company chartered, organized, or transacting business under the laws of this State, so far as is practicable, to furnish the State Board of Health any information bearing upon public health which may be requested by said Board, for the purpose of enabling it better to perform its duties of collecting and distributing useful knowledge on this subject.

§ 11. The Secretary of the Board of Health shall be Superintendent of Vital Statistics; and it shall be the duty of the Auditor to turn over to the Secretary of said Board, to be tabulated by him, returns from the county clerks, provided for under the Registration Act, ap-

proved January 31st, 1874; and said Secretary shall file with the Auditor said tabulated statements, and such explanatory notes as may be necessary to the proper understanding of said tabulated statements. The Auditor shall then cause to be printed        copies of the same, to be distributed among the several counties of the State as heretofore provided under the Registration Act.

§ 12. It shall be and is made the duty of the State Librarian to provide a suitable room for the meetings of the Board at Frankfort, and office room for its Secretary at Frankfort.

§ 13. It shall be the duty of the State Board of Health to appoint a Local Board of Health for each county of this Commonwealth, whose duty it shall be to supervise the general interests affecting the life and health of the residents of their respective counties, one of whom shall be elected by said Local Board their Secretary. The Board of Health hereby established shall consist of three regular physicians in good standing. They shall hold their office for the term of two years from the date of their appointment; and if a vacancy occurs, it shall be filled as provided for appointment. At the end of every two years after the first appointment it shall be the duty of the State Board of Health to appoint said Local Board for the term herein mentioned. The Local Board shall report each year, or oftener if called on, to the State Board of Health anything calculated to promote the health of the people of their respective counties, and make such returns as are required by the State Board of Health in accordance with blanks to be furnished by the State.

§ 14. This act to take effect and be in force from its passage.

Mr. Swoope moved to amend said bill as follows, viz :

“In section first, line four, strike out the word ‘six,’ and insert in lieu thereof the word ‘four;’ and in same section, in the fifth line, after the word ‘Senate,’ insert the following: ‘To be appointed from each of the Congressional districts in this State.’”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Walton moved to amend said bill by inserting after the word “shall,” in the fourth line of the first section, the words “be practicing physicians.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Finley then moved to commit said bill to a select committee of five, to be appointed by the Speaker.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	P. A. Lyon,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	E. W. Turner,



Scott Brown,  
H. F. Finley,  
James B. Garnett,

J. R. Leslie,  
R. B. Lovel,

H. A. Tyler,  
George Wright—16.

Those who voted in the negative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	J. H. Stanley,
F. L. Cleveland,	Duncan Harding,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	C. J. Walton—17.
Joseph Gardner,	Joseph B. Read,	

The substitute proposed by Mr. J. W. Hays for said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be, and it is hereby, made the duty of the Governor of this Commonwealth to appoint, by and with the approval of the Senate of Kentucky, five citizens of this State, who shall constitute and be known as "The Sanitary Board of Kentucky."

§ 2. That some eminent physician, a citizen of this State, shall by the Governor be appointed Medical Adviser of said Board, which selection, as aforesaid, shall not take effect until after the same shall have been approved of by said Board, and whose duty it shall be to be subject to, and at all times obey, the order or orders of the Governor and of said Board ; and said physician or Medical Adviser may, by the order of the Governor, or of said Board, be sent to any community afflicted with any epidemic disease, in or out of this State; and it shall be the duty of said physician, upon the order as aforesaid, to repair immediately to the community designated in said order, and announce publicly that he is there by the authority of the Governor of Kentucky; and it is his duty to there remain, and industriously attend all needing his attention, without fee or reward; but it is hereby made his duty, in all cases, to first give his attention to the poor and indigent of said community.

§ 3. It shall be the duty, furthermore, of said physician, to present and prosecute, or cause to be prosecuted, any and all vendors of impure drugs or poisonous liquors, and to publish his ideas and discoveries upon all sanitary matters, and upon subjects of hygiene, from time to time, as shall be advised by the said Board; and it shall be his duty at all times to give, without fee or reward, his medical services to the poor and indigent of the community wherein he may be; and should said physician, during the time for which he shall have been selected as Medical Adviser as aforesaid, charge or receive from any one any fee or reward for medical advice or services, it shall become, and is hereby made, the duty of the Board to at once dismiss him as Medical Adviser, and proceed to the selection of another, who shall be subject, as aforesaid, to the approval of the Governor. Said physician may also be ordered by the Governor, or said Board, and when so ordered it shall be his duty, to visit any and all public hospitals and prisons in this Commonwealth, and make such report or reports as, in his judgment, will tend to the improvement of the treatment of the sick inmates of said institutions, or the sanitary condition thereof.

§ 4. It shall be the duty of said Board, with the advice of said Medical Adviser, to procure and keep constantly on hand genuine vaccine matter, and furnish same, upon written request, to any and all practicing physi-



cians living in this State, and to make to the Legislature, at each session thereof, a printed report of their acts, together with such recommendations and suggestions as, in their judgment, will improve the sanitary condition of all public institutions in this State. Said Board shall also recommend to the Governor for appointment some suitable person, a citizen of this State, to the position of Secretary and Treasurer of said Board. It shall be the duty of said Board to procure a suitable office or rooms in the city of Louisville, which shall be the headquarters of the Sanitary Board of Kentucky, and which shall also be the office of the Medical Adviser of said Board, where, when not engaged in attending sick, it shall be his duty to stay at least six hours in each day.

§ 5. No compensation whatever or salary shall be paid the said Board or any member thereof, except actual expenses incurred whilst in attendance on the duties of said office. The physician or Medical Adviser of said Board shall be paid an annual salary of not exceeding \$———, to be paid in equal installments, at the end of each three months, out of the Treasury, upon the order of the Governor.

§ 6. For the use of said Board, and to pay any actual expense which said Board may incur, there is now appropriated the sum of five thousand dollars.

§ 7. The members of said Board shall hold their term of office during the pleasure of the Governor. Said physician shall be subject to removal by the Governor, upon the request of a majority of the Board. The Secretary and Treasurer may be removed at the pleasure of the Board and the Medical Adviser.

§ 8. The Governor shall be, *ex-officio*, President of the Board.

Mr. Wright then moved to lay said bill and proposed substitute on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	R. B. Lovel,
James Blackburn,	Duncan Harding,	C. N. Pendleton,
Andrew J. Ewing,	R. G. Hays,	H. A. Tyler,
H. F. Finley,	B. W. S. Huffaker,	George Wright—14.
Joseph Gardner,	J. R. Leslie,	

Those who voted in the negative, were—

Wm. J. Berry,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	D. H. Lindsay,	E. W. Turner,
W. W. Culbertson,	P. A. Lyon,	Thos. W. Varnon,
W. A. Cunningham,	Sumner Marble,	W. L. Vories,
Wm. Cassius Goodloe,	Joseph B. Read,	C. J. Walton—20.
James W. Hays,	Robert Simmons,	

Mr. Walton moved to fill the blank in the second line of the sixth section with \$1,500.

Which was adopted.

Mr. Walton moved to amend said bill by striking out the word "four," and inserting in lieu thereof the word "three," in the first line of the seventh section thereof.

Which was adopted.

Mr. Blackburn then moved to amend said bill by striking out the seventh section thereof.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Garnett and Barbour, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	B. W. S. Huffaker,	Robert Simmons,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	R. B. Lovel,	H. A. Tyler,
Joseph Gardner,	P. A. Lyon,	George Wright—16.
James B. Garnett,		

Those who voted in the negative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	J. H. Stanley,
Scott Brown,	James W. Hays,	G. W. Swoope,
F. L. Cleveland,	S. H. Jenkins,	W. L. Vories,
W. W. Culbertson,	D. H. Lindsay,	C. J. Walton—14.
W. A. Cunningham,	Joseph B. Read,	

Mr. Walton then moved to amend said bill by striking out the word "six," and insert in lieu thereof the word "ten," in the first line of the ninth section thereof.

Which was adopted.

Mr. Berry then moved to lay said bill and pending substitute on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	R. B. Lovel,
Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
W. W. Culbertson,	R. G. Hays,	C. N. Pendleton,
Andrew J. Ewing,	B. W. S. Huffaker,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	George Wright—18.

Those who voted in the negative, were—

Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	D. H. Lindsay,	E. W. Turner,

W. A. Cunningham,	Joseph B. Read,	Thos. W. Varnon,
P. F. Edwards,	Robert Simmons,	W. L. Vories,
Wm. Cassius Goodloe,	J. H. Stanley,	C. J. Walton—16.
James W. Hays,		

Mr. J. W. Hays moved that the Committee on Finance, on tomorrow, at fifteen minutes past 11 o'clock, A. M., be directed to report a bill from the House of Representatives, entitled

An act to amend the revenue laws, and to re-enact certain sections of chapter 2060, Session Acts of 1869, entitled "An act to amend the revenue laws," approved 15th March, 1869.

Which motion was adopted.

Mr. Turner moved to suspend the rule in order to take up an engrossed bill, entitled

An act to amend chapter 60 of the General Statutes, entitled "Interest and Usury."

Which motion was adopted.

The yeas and nays being required thereon by Messrs. Turner and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	B. W. S. Huffaker,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—27.

Those who voted in the negative, were—

F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	R. B. Lovel,	H. A. Tyler—8.
Wm. Cassius Goodloe,	Sumner Marble,	

The Senate then resumed the consideration of the unfinished report of the Committee on Banks and Insurance, it being an engrossed bill, entitled

A bill to amend chapter 60 of the General Statutes, entitled "Interest and Usury."

Mr. Tyler then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	W. L. Vories—26.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

F. L. Cleveland,	R. G. Hays,	G. W. Swoope,
W. W. Culbertson,	R. B. Lovel,	C. J. Walton,
P. F. Edwards,	Joseph B. Read,	George Wright—10.
Wm. Cassius Goodloe,		

*Resolved*, That the title of said bill be as aforesaid.

*Ordered*, That Mr. Turner be directed to report the passage of said bill to the House of Representatives.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to improve the navigation' of the South Fork of the Kentucky river in Clay county, on the narrows of said river.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of six thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of improving the South Fork of the Kentucky river, between the mouth of Newfound creek and the mouth of Crane creek, in Clay county, on the narrows of said river.

§ 2. That General T. T. Garrard and Allen E. Robinson, of Clay county, are hereby appointed commissioners to apply and properly appropriate the said sum of money for the purpose named in section one of this act; but before said commissioners shall act, they shall each enter into bond in the Clay county court, with sufficient surety for the faithful performance of their duties, and take an oath that they will faithfully and truly apply and appropriate the sum of six thousand dollars to the improvement of the navigation of the South Fork of the Kentucky river, between the mouth of Newfound creek and the mouth of Crane creek, in Clay county.

§ 3. The Auditor of Public Accounts, upon the requisition of said commissioners, or any two of them, accompanied with a certified copy of their bond, and a statement of their expenditures to date, is hereby directed to draw his warrant upon the Treasurer for such sums of money as may be necessary to pay their contracts and expenses, not exceeding the amount above appropriated. A vacancy in the commission may be filled by appointment of the Governor.



§ 4. The said commissioners shall each be allowed the sum of three dollars per day for the time they are actually engaged in the duty hereby assigned them. They shall make a full report of all their acts and doings at the next session of the General Assembly.

§ 5. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	James W. Hays,	Robert Simmons,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
W. A. Cunningham,	John Hyden,	E. W. Turner,
P. F. Edwards,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton—31.
Joseph Gardner,		

Those who voted in the negative, were—

Wm. J. Berry,	P. A. Lyon,	George Wright—5.
R. B. Lovel,	H. A. Tyler,	

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court,

Together with the amendment to said bill proposed by Mr. Tyler on yesterday.

Mr. Read proposed to amend said bill by inserting as a proviso the following, viz :

“The provisions of this bill shall not apply to the city of Louisville or the county of Jefferson.”

Mr. Swoope moved to amend said bill by adding the following thereto as a proviso, viz :

“The provisions of this bill in regard to manufacturers shall not apply to manufacturers within the city of Owensboro.”

Mr. Barker moved the previous question.

And the question being taken, “Shall the main question be now put?” it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	J. R. Leslie,
Thos. J. Barker,	Joseph Gardner,	R. B. Lovel,
Wm. J. Berry,	James B. Garnett,	E. W. Turner,
James Blackburn,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	S. H. Jenkins,	George Wright—18.

Those who voted in the negative, were—

Scott Brown,	James W. Hays,	Joseph B. Read,
W. A. Cunningham,	R. G. Hays,	Robert Simmons,
P. F. Edwards,	D. H. Lindsay,	J. H. Stanley,
Andrew J. Ewing,	P. A. Lyon,	G. W. Swoope,
Wm. Cassius Goodloe,	Sumner Marble,	C. J. Walton—17.
Duncan Harding,	C. N. Pendleton,	

The hour of two o'clock, P. M., the regular hour for adjournment, having arrived, further action thereon was cut off, and then the Senate adjourned until 7½ o'clock this evening.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act for the benefit of Richard H. Collins.
2. An act to incorporate the Glasgow Grangers' Mutual Benefit Society.
3. An act to incorporate the People's Gas-light Company, of Lexington.
4. An act to amend an act, entitled "An act to establish tram-tracks on railways to navigable streams or railroads in Rockcastle county."
5. An act to incorporate the Traders' Deposit Bank, of Mt. Sterling, Kentucky.
6. An act to change the line between the counties of Whitley and Laurel.
7. An act for the benefit of C. K. Oldham, late sheriff of Madison county.
8. An act to amend an act establishing a new charter for the city of Louisville, approved March 3, 1870.
9. An act to incorporate the Kentucky Infirmary for Women and Children.
10. An act to guard against the abuse of the elective franchise by requiring registration of votes in the city of Louisville.

11. An act to incorporate the National Grange of the Patrons of Husbandry.

12. An act to repeal an act, entitled "An act to amend the charter of the city of Louisville," approved April 19, 1873, and to re-enact section 88 of an act, entitled "An act establishing a new charter for the city of Louisville," approved March 3, 1870.

13. An act to authorize the county court of Pulaski county to issue bonds to raise money to build a jail.

14. An act for the benefit of W. P. Fox, jailer of Knox county.

15. An act to incorporate the Ludlow, West Covington, and Suspension Bridge Street Railway Company.

16. An act for the benefit of the county clerk of Jessamine county.

17. An act to regulate the sale of spirituous, vinous, and malt liquors in the town of Madisonville, Hopkins county.

18. An act to protect sheep in Kenton county.

19. An act to enable the people of Jessamine county to vote a tax on themselves to build a new court-house in said county.

20. An act to amend section 2, article 1, chapter 55, General Statutes, applying to Gallatin county.

21. An act to change the time of holding the county and quarterly courts for Lincoln county.

22. An act to incorporate the Mattie Hays Boat Club, of Louisville, Kentucky.

23. An act for the benefit of school district No. 34, in Taylor county.

24. An act to authorize the Congregation Adas Israel, of the city of Louisville, to issue mortgage bonds.

25. An act to amend the charter of the town of Parkland.

26. An act to amend an act, entitled "An act to amend the charter of the Louisville Banking Company, of the city of Louisville."

27. An act to amend the charter of the city of Louisville.

28. An act to amend the charter of the city of Louisville, and directory to the Board of Commissioners of Public Charities of said city.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 3d, 8th, 12th, 25th, 27th, and 28th to the Committee on the Judiciary; the 2d, 11th, and 18th to the Committee on Agriculture

and Manufactures; the 4th and 15th to the Committee on Railroads; the 5th and 26th to the Committee on Banks and Insurance; the 6th to the Committee on Propositions and Grievances; the 7th and 20th to the Committee on General Statutes and Codes of Practice; the 9th to the Committee on Charitable Institutions; the 10th to the Committee on Privileges and Elections; the 13th, 16th, 19th, and 21st to the Committee on Courts of Justice; the 14th to the Committee on Claims; the 17th and 24th to the Committee on Religion and Morals, and the 1st, 2d, and 23d to the Committee on Education.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

A bill to amend chapter 77, title "Mills," of the General Statutes.

By same—

A bill to regulate the time of holding circuit courts in certain counties in the 9th judicial district.

By Mr. Varnon, from the Committee on General Statutes and Codes of Practice—

A bill to continue ten years longer an act, entitled "An act to amend the charter of the town of Hustonville, and amendments thereto," approved March 13, 1873.

By Mr. Barbour, from the Committee on Banks and Insurance—

A bill to incorporate the Anderson county Deposit Bank.

By Mr. Vories, from the Committee on Banks and Insurance—

A bill to repeal an act, entitled "An act to establish a criminal court in the 11th judicial district," approved 20th Februrry, 1874, so far as the same applies to the county of Henry.

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to amend the charters of the Midway and Elkhorn and Scott County and Elkhorn and Midway and Scott County Turnpike Road Companies.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to legalize the acts of the Hardin county court at its January term, 1876.

By Mr. Cleveland, from the Committee on Propositions and Grievances—

A bill for the benefit of keepers of ferries in Campbell county.

By Mr. R. G. Hays, from the Committee on Finance—

A bill to amend an act, entitled "An act to amend the charter of



the Masonic Widows and Orphans' Home and Infirmary," approved March 15, 1871.

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to further amend the charter of the Kentucky River Navigation Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time, except the last named, which was ordered to be printed and placed in the orders of the day.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Leslie, from the Committee on Courts of Justice—

An act authorizing the Wayne county court to sell twenty thousand dollars of the bonds of the county for the purpose of building a court-house.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to incorporate the Kentucky Oil, Pipe, Mining and Transportation Company.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to amend the charter of the Odd Fellows' Insurance Company of Kentucky.

By Mr. Leslie, from the Committee on Courts of Justice—

An act to legalize the order of the board of trustees of Glasgow in subscribing \$1,000 to aid in building the Baptist Female College of Liberty Association of Kentucky, at Glasgow, and issuing a bond in payment of said subscription.

By same—

An act to authorize the Franklin county court to issue bonds for the aid of turnpike roads and other purposes.

By Mr. Tyler, from the Committee on the Judiciary—

An act for the benefit of Hart county.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act, entitled “An act to amend the road law of Boone county.”

By Mr. Goodloe, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to incorporate the town of Butler, Pendleton county.”

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Pendleton County Mutual Aid Association.

By Mr. Goodloe, from the Committee on the Judiciary—

An act to incorporate the Lexington Gas Company, of Lexington, Kentucky.

By same—

An act to incorporate the People's Gas-light Company, of Lexington.

By Mr. Gardner, from the Committee on Education—

An act to incorporate the Mount Sterling Female College.

By Mr. Barker, from the Committee on Internal Improvement—

An act to amend the charter of the Ford's Mill and Kentucky River Turnpike Road Company.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act for the benefit of C. K. Cluke.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

An act to amend section 6 of article 13 of chapter 29, General Statutes, for the benefit of Wm. F. Peak, of Trimble county.

By Mr. Simmons, from the Committee on the Judiciary—

An act to revise and amend the charter of the city of Dayton, in Campbell county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to prevent trespass in certain counties of this Commonwealth.

*Ordered*, That said bills be read a third time, the last four as amended.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Goodloe moved the following resolution, viz :

*Resolved*, That the special committee raised to investigate charges of unusual punishment inflicted upon the convicts in the Penitentiary, the inadequacy of cell accommodations, and the alleged deleterious effect upon the health of the convicts required to labor in the hemp department, be discharged, and the entire subject referred to the Committee on Penitentiary.

Which was adopted.

On motion of Mr. Goodloe, Mr. Walton was added to the Committee on Penitentiary and House of Reform, for the purpose of considering said subject.

Mr. Blackburn, from the Committee on Claims, reported

A bill for the benefit of the sureties of J. B. Brassfield.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, J. B. Brassfield, late sheriff of Whitley, on or about the first of March, 1874, ran away, carrying with him the revenue belonging to the State, so far as collected by him, and his sureties have paid off and discharged said sheriff's liabilities to the State, with ten per cent. interest on the same, which interest amounts to the sum of three hundred and seventy two [dollars] and sixty nine cents; and whereas, it further appears that said sureties paid into the Treasury the sum of eighty-eight dollars and fifty six cents revenue tax upon lands twice taxed for the same year; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer of this State in favor of Jeremiah Jones, Jerry Meadors, G. W. Patrick, Robert Jones, Alexander Litton, Nathaniel Walker, Reuben Faulkner, S. R. Brassfield, Hampton Meadows, William Wilson, L. J. Sleety, and Solomon Cox, or their order, for the sum of four hundred and eleven dollars and twenty-five cents, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Duncan Harding,	Sumner Marble,
Scott Brown,	James W. Hays,	C. N. Pendleton,
F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	B. W. S. Huffaker,	Robert Simmons,

W. A. Cunningham,	John Hyden,	E. W. Turner,
P. F. Edwards,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—30.

In the negative—Wm. J. Berry—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Wright, from the Committee on Finance, reported

A bill for the benefit of Alexander Litton, Jeremiah Jones, Jerry Meadows, L. J. Sleety, G. W. Patrick, and Nathaniel Walker.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer of this State in favor of Alexander Litton, Jeremiah Jones, Jerry Meadows, L. J. Sleety, G. W. Patrick, and Nathaniel Walker, for the sum of two hundred dollars, to be paid out of any money in the treasury not otherwise appropriated, it being in full of the mileage and expense paid by them for the apprehension and delivery of J. B. Brassfield, charged with embezzlement, to the jailer of Whitley county.

§ 2. This act shall be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—33.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.



The Senate resumed the consideration of the unfinished report of the Committee on Internal Improvement, who had asked to be discharged from the further consideration of a leave to bring in

A bill to provide for rebuilding the State bridge across Green river at Rio, Hart county,

The question was then taken on discharging the committee from the further consideration of the leave, and it was decided in the negative.

The question was then taken on the motion heretofore made by Mr. Goodloe, directing the committee to report said bill, and it was decided in the affirmative.

Mr. Barker, from the Committee on Internal Improvement, reported

A bill to provide for rebuilding the State bridge across Green river at Rio, Hart county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby incorporated a bridge company, by the name and style of "Rio Bridge Company," for the purpose of building an iron bridge across Green river, on the Louisville and Nashville turnpike road, by the way of Bardstown and Glasgow. The capital stock of said company shall be fifteen thousand dollars, to be divided in shares of fifty dollars each.

§ 2. The books for subscription of stock shall be opened by R. D. Shannon, David Gibson, H. B. Lane, and Dr. W. W. Bowling, of Hart county, on the first Saturday of April, 1876, and at such other times and places as may be designated by any three of said commissioners, by written or printed advertisements, posted up at three public places twenty days beforehand. Said subscribers shall sign their names in the books of said company as follows, viz : " We, whose names are hereunto subscribed, promise to pay, to the president and directors of the Rio Bridge Company, the sum of fifty dollars for each share of stock in said company attached to our names, at such time and place as they may direct. Witness our hand and seals, this       day of       , 187 . That said company may, and they are hereby permitted, to build said bridge upon, and to use the abutments and pillars at said crossing of said river now owned by the State of Kentucky; and there is hereby appropriated and subscribed, by the State of Kentucky, to the capital stock of said company, the sum of eight thousand dollars; and the Auditor of Public Accounts is hereby directed to draw his warrant therefor upon the Treasurer in favor of the President of said company, and the same shall be paid by the Treasurer: *Provided, however*, Said warrant shall not be drawn and delivered until there is a sum sufficient, in

addition, subscribed and paid into said company by individual subscription, to finish and complete said bridge, which fact shall be certified to the Auditor by the judge of Hart county court, under his hand and seal of office; and when so certified, it shall be sufficient evidence to said Auditor to issue his warrant aforesaid.

§ 3. The county court of Hart county, a majority of the justices of the peace of said county concurring therein, may, at any time, subscribe such amount of stock in said company as they may deem proper, not exceeding the sum of one thousand and five hundred dollars, which shall be entered at large upon the records of said court; and when so subscribed it shall be a debt against the county, and shall be levied and collected as other levies upon said county: *Provided, however,* Not more than five hundred dollars so levied shall be collected in any one year.

§ 4. So soon as one thousand dollars of stock is subscribed, the stockholders shall be convened at Caverna, in Hart county, upon ten days' notice, and, under the supervision of not less than three of said commissioners, an election shall be held. Each share shall be entitled to one vote for president and three directors, each of whom shall be a stockholder in said company. They shall hold their office until the first Saturday in April, 1877, when an election shall be held; and every first Saturday in each year a new election shall be held to fill said offices: *Provided, however,* Each officer shall be required to take and subscribe an oath that they will faithfully discharge the duties of said office, which oath shall be recorded in the books of said company; and they shall hold their office until their successors shall be elected and qualified. They shall appoint a clerk and treasurer, who shall take the oath of office, and said treasurer shall give a good and sufficient bond, with approved security, which security shall be approved by said board, in the sum of fifteen thousand dollars, condition with the faithful discharge of the duties of the office, and pay over all money which shall come into his hands, as such, in obedience to orders of said board; and for a violation of said bond he may be proceeded against with his securities, by motion or suit in the circuit court of any county in this Commonwealth, as sheriffs may now be proceeded against, for failing to pay over money collected on executions.

§ 5. The said company shall be a body-politic and corporate, under the name and style of "Rio Bridge Company;" and in that name may sue and be sued, plead and be impleaded; and may have and use a common seal, and shall have perpetual succession.

§ 6. *And be it further enacted,* That sections 6th, 7th, 8th, 9th, and 10th, of an act, entitled "An act to incorporate Rio Bridge Company," be, and the same is, made a part of this act; which act was approved February 16th, 1870.

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	B. W. S. Huffaker,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	Robert Simmons,
H. F. Finley,	Sumner Marble,	Thos. W. Varnon,
Joseph Gardner,	C. N. Pendleton,	C. J. Walton—13.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	R. B. Lovel,
Wm. J. Berry,	Duncan Harding,	P. A. Lyon,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	R. G. Hays,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—21.

So said bill was rejected.

Mr. Tyler, from the Committee on Courts of Justice, to whom was referred leave to bring in

A bill to repeal an act, entitled "An act to establish a criminal court in the 11th judicial district," approved 20th February, 1874, so far as the same applies to the county of Henry,

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Lindsay, from the Committee on Claims, reported

A bill for the benefit of pauper idiots of Hardin county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Mary E. Hoskinson, Elizabeth Hoskinson, Martha E. Richardson, Margaret Brown, George H. Arvin, and John B. Yeager, idiots of Hardin county, were, by proper judgments of the Hardin circuit court, found to be idiots, at the May term, 1870, and the terms of said circuit court having been changed to August and February, instead of May and November, and there being a period of three months after the finding of the inquest of 1870, and the next inquest in 1875, the law requiring a new inquest every five years, the last inquest not having been had until August, 1875; and the committee of said idiots having provided for their care and support during said three months, from May to August, the date of the last finding, and having received no allowance therefor; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be directed to issue his warrants upon the Treasury in favor of said committees for said idiots as follows, viz: William Hoskinson, committee for Mary E. Hoskinson, eighteen dollars and seventy-five cents; William Hoskinson, committee for Elizabeth Hoskinson, eighteen dollars and seventy-five cents; William B. Vertrees, committee for Martha Richardson, eighteen dollars and seventy-five cents; W. F. Coombs, committee for Margaret Brown, eighteen dollars and seventy-five cents; Edward Arvin, committee for George H. Arvin, eighteen dollars and seventy-five cents; M. G. Riney, committee for John B. Yeager, eighteen dollars and seventy-five cents,



for the support and care of said idiots during the three months aforesaid, between May and August terms of 1875, the date of the last inquest, Hardin circuit court, payable out of any money in the Treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—35.
Joseph Gardner,	P. A. Lyon,	

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to change the county line between the counties of Knox and Bell.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time, as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a court of justice, to be known as the "Court of Common Pleas," is hereby established in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington.



§ 2. The first election of a judge of said court shall take place on the first Monday in April, 1876, and afterwards on the first Monday in August, 1881, and on the first Monday in August in every sixth year thereafter; and said elections shall be conducted as are elections for judges of circuit courts. The judge elected shall enter upon the duties of his office as soon as he is commissioned and sworn.

§ 3. The judge of said court shall possess the same qualifications, and receive the same salary, payable in the same manner, as a judge of a circuit court.

§ 4. All the provisions of sections 7, 8, and 9 of article 10 of chapter 28, of the General Statutes, are hereby re-enacted and applied to the court established by this act, and the judge thereof, in the same manner as the same are made applicable by the said sections to the courts provided for in said section.

§ 5. All the laws of this State in relation to the appointment of master commissioners by circuit courts, and their duties and responsibilities, are hereby made applicable to the court created by this act.

§ 6. The said court shall have power to allow, and certify to the Auditor, all claims against the Treasury of this State connected with said court.

§ 7. All the provisions of chapter 12, of the General Statutes, with regard to a change of venue, are hereby made applicable to said court.

§ 8. A vacancy in the office of judge of said court shall be filled as a vacancy in the office of judge of a circuit court is directed by law to be filled.

§ 9. In case the judge is absent, or, if present, cannot properly preside, an election of a special judge shall be held in the manner prescribed by law for election of a special judge in the circuit courts; and the law in relation to the compensation of a special judge in the circuit courts shall apply to said special judge.

§ 10. The regular terms of said court shall be held as follows, viz:

In the county of Boyle on the third Mondays in June and December.

In the county of Garrard on the first Mondays in May and November.

In the county of Lincoln on the first Mondays in June and December.

In the county of Marion on the first Mondays in April and October.

In the county of Mercer on the first Monday in February and the third Monday in July.

In the county of Rockcastle on the Tuesdays after the first Mondays in January and July.

In the county of Washington on the Tuesdays after the third Mondays in May and November.

And each term shall continue as many juridical days as its business may require, so as not to conflict with any other regular term of said court; and the regular terms of said court may be changed by the court, by an order of record, to take effect more than sixty days thereafter. Said court shall have power to hold special terms, in either of said counties, for the trial of common law and equity cases, to be called in the manner prescribed by law in relation to special terms of circuit courts; and it shall be the duty of the judge to hold such special terms whenever the business of either county may require it.

§ 11. It shall be the duty of the circuit court, in each of the counties named in this act, at the close of the first term after the organization of the court created by this act, to make orders transferring to said court one half of the common law and equity causes left undisposed of in said circuit court, and the causes thus transferred shall be entered upon the

docket of said court of common pleas and tried as if brought originally therein.

§ 12. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
H. F. Finley,	Sumner Marble,	C. J. Walton—29.
Joseph Gardner,	C. N. Pendleton,	

Those who voted in the negative, were—

James B. Garnett, S. H. Jenkins, George Wright—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to amend an act, entitled "An act to incorporate the Masonic Grand Lodge of Kentucky," approved January 29, 1841.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. Leslie proposed an amendment to said bill.

*Ordered*, That the further consideration of said bill and amendment be postponed till to-morrow morning.

A message was received from the House of Representatives, announcing that they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of C. K. Cluke.

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of Wm. F. Peak, of Trimble county.

Mr. Harding moved that a committee be appointed, to act with a similar one on the part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the Senate, and that had passed the two Houses, entitled

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

Which motion was adopted.

Messrs. Harding and Vories were appointed said committee.

After a short time, Mr. Harding reported that the committee had discharged the duty assigned them.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

A message was also received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Bracken, and Pendleton.

With amendments to said bill.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to authorize the purchasers of the property of the Red River Iron Manufacturing Company to organize as a new corporation;

An act for the benefit of Allensville voting precinct, in Todd county;

An act to regulate the sale of spirituous, vinous, and malt liquors in the town of Shelbyville;

An act for the benefit of W. A. Mahon, sheriff of Muhlenburg county;

An act for the benefit of Henry F. Cornelius, A. Cornelius, and J. W. Gooch;

An act to charter the deposit bank of L. Goodpaster, Sons & Co., of Owingsville, Bath county;

Resolution to provide for the erection of stable on public grounds adjacent to Executive Mansion;

And bills, which originated in the Senate, of the following titles, viz :

An act to establish a criminal court in the counties of Daviess, Hancock, Ohio, Meade, Grayson, and Breckinridge;

An act to establish a criminal court in the 6th judicial district and Hardin county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

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THURSDAY, FEBRUARY 24, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of B. R. Nall and other sureties of Joseph Greer, late sheriff of Larue county.

An act releasing the stock of the State of Kentucky in the turnpike road leading from the mouth of Salt river to Elizabethtown, in Hardin county.

An act for the benefit of the devisees of Joseph Brown.

An act for the benefit of Lewis county.

An act for the benefit of keepers of ferries in Campbell county.

That they had passed bills and adopted resolutions of the following titles, viz:

1. An act for the benefit of Garfield McCormack, of Lawrence county.

2. An act to amend an act to incorporate the Danville, Lancaster, and Nicholasville Turnpike Road Company.

3. An act to amend the charter of the city of Louisville.



4. An act to regulate elections for directors and other officers of private corporations.

5. An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants, and tobacco dealers on commission.

6. An act to amend chapter 60 of the General Statutes, title "Interest and Usury."

7. An act to amend section 9, article 35, chapter 29, of the General Statutes.

8. Resolution touching Patterson's forms for county officers.

9. Resolution in regard to sword of Adjutant G. N. Cardwell.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Claims; the 2d to the Committee on Privileges and Elections; the 3d to the Committee on the Judiciary; the 4th to the Committee on Railroads; the 5th to the Committee on Agriculture and Manufactures; the 6th and 7th to the Committee on General Statutes and Codes of Practice; the 8th, a resolution, to a select committee, composed of Messrs. Barker and Cleveland; the 9th, a resolution, to the Committee on Library and Public Buildings and Offices.

The following petitions and remonstrances were presented, viz :

By Mr. Wright—

1. Petition of sundry citizens of Bowling Green, asking for the location of the proposed branch of the penitentiary to be located near said city.

By Mr. Cleveland—

2. Petition of the trustees of the town of Berlin, in Bracken county, asking an amendment to their charter.

By Mr. Culbertson—

3. Petition of sundry citizens living near the town of Catlettsburg, protesting against extending power to trustees in relation to sale of intoxicating drinks.

By Mr. Cleveland—

4. Petition of sundry citizens of Bracken county, asking the passage of a stock law.

By Mr. Berry—

5. Petition of citizens of Ohio county, asking a law to protect the hunting of deer with dogs.

By Mr. Gardner—

6. Petition of sundry citizens of Morgan county, favoring the modification of the charter of the Licking River Lumber and Mining Company.

By same—

7. Remonstrance of sundry citizens of Morgan and Meniffee counties, against the repeal of the charter of the Licking River Lumber and Mining Company.

By Mr. Pendleton—

8. Remonstrance of certain citizens of Christian county, against the passage of a law taxing them for turnpike purposes.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Penitentiary and House of Reform; the 2d to the Committee on Appropriations; the 3d to the Committee on Religion and Morals; the 4th and 5th to the Committee on Propositions and Grievances; the 6th and 7th to the Committee on the Judiciary, and the 8th to the Committee on Agriculture and Manufactures.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to change the time of holding the Ballard county court.

By Mr. Blackburn, from the Committee on Charitable Institutions—

A bill for the benefit of Mrs. E. J. Reese, an adjudged lunatic.

By same—

A bill to amend an act to incorporate the Owingsville Cemetery Company, approved March 25, 1872.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker appointed Messrs. Swoope and Cleveland a committee on the part of the Senate to take into consideration the expenditures of the various charitable institutions of this State, under the resolution heretofore adopted by the two Houses of the General Assembly in relation to said subject.

Mr. Gardner moved the following resolution, viz :

*Be it resolved*, That the Committee on Finance be directed to bring in a bill to secure interest on the public money now or hereafter deposited in any bank of this Commonwealth.

Which was adopted.

The Senate took up for consideration the motion heretofore made by Mr. Gardner, to reconsider the vote by which the Senate had rejected a resolution, entitled

Resolution providing for an extension of the present session of the General Assembly beyond the constitutional limit of sixty days.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

Said resolution reads as follows, viz :

WHEREAS, It is evident that in the limited time remaining of the constitutional term, it is impossible that the measures of public importance now before the General Assembly can be acted on, and great detriment to the public service must inevitably result from the failure to perfect them ; therefore

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the session of this General Assembly be extended beyond the sixty days to which it is limited by the constitution.

Mr. Simmons then moved to amend said resolution as follows, viz :

But such extension shall not be for a greater length of time than fifteen days ; and we hereby pledge ourselves one to the other that no further extension shall be had beyond the time herein provided for, except a majority of two thirds of all the members elect to each branch of the General Assembly shall concur therein.

Mr. Swoope moved to amend the amendment proposed by Mr. Simmons by striking out the word "fifteen" therein, and insert in lieu thereof the word "twenty."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James B. Garnett,	D. H. Lindsay,
Scott Brown,	Duncan Harding,	R. B. Lovel,
F. L. Cleveland,	James W. Hays,	Sumner Marble,
W. A. Cunningham,	George B. Hodge,	J. H. Stanley,

P. F. Edwards,	John Hyden,	G. W. Swoope,
H. F. Finley,	S. H. Jenkins,	E. W. Turner—20.
Joseph Gardner,	J. R. Leslie,	

Those who voted in the negative, were—

Pollock Barbour,	B. W. S. Huffaker,	H. A. Tyler,
Thos. J. Barker,	P. A. Lyon,	Thos. W. Varnon,
Wm. J. Berry,	C. N. Pendleton,	W. L. Vories,
W. W. Culbertson,	Joseph B. Read,	C. J. Walton,
Andrew J. Ewing,	Robert Simmons,	George Wright—16.
Wm. Cassius Goodloe,		

The question was then taken on the adoption of the amendment proposed by Mr. Simmons, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	John Hyden,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
P. F. Edwards,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon—22.
Joseph Gardner,		

Those who voted in the negative, were—

Thos. J. Barker,	James W. Hays,	H. A. Tyler,
Wm. J. Berry,	B. W. S. Huffaker,	W. L. Vories,
W. W. Culbertson,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	Sumner Marble,	George Wright—14.
Wm. Cassius Goodloe,	C. N. Pendleton,	

The question was then taken on the adoption of the resolution as amended, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	Joseph B. Read,
James Blackburn,	George B. Hodge,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	G. W. Swoope,
W. A. Cunningham,	J. R. Leslie,	E. W. Turner,
P. F. Edwards,	D. H. Lindsay,	H. A. Tyler,
H. F. Finley,	R. B. Lovel,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	W. L. Vories,
James B. Garnett,	Sumner Marble,	George Wright—29.
Duncan Harding,	C. N. Pendleton,	



Those who voted in the negative, were—

Thos. J. Barker,            Andrew J. Ewing,        B. W. S. Huffaker,  
Wm. J. Berry,            Wm. Cassius Goodloe, C. J. Walton—7.  
W. W. Culbertson,

*Resolved*, That the title of said resolution be as aforesaid.

Mr. Barker moved to reconsider the vote by which the Senate had passed a bill from the House of Representatives, entitled

An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington.

Which motion was simply entered.

Mr. Blackburn, from the Committee on Charitable Institutions, reported

A bill making special appropriation to the First Kentucky Lunatic Asylum.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of seventeen hundred and forty-one dollars and forty-one cents is hereby appropriated to the First Kentucky Lunatic Asylum, to refund expenditure incurred in repairing damage done to the building by a storm, to be paid to the treasurer of the Asylum by warrant of the Auditor in his favor upon the Treasurer of the State, payable out of any money not otherwise appropriated.

§ 2. There are also hereby appropriated to said Asylum the sum of three thousand dollars, for the construction and arrangement of cisterns, to enlarge the water supply, and the further sum of twenty-five hundred dollars for the enlargement of the laundry and its fixtures. The Auditor is directed to draw his warrants on the Treasurer in favor of the appropriations made in this section as shall be certified to him under oath by the president of the board of commissioners, and the treasurer of the Asylum, to have been actually expended for those objects respectively, until the entire amount of each shall be exhausted; the certificates to be accompanied also in each case by receipts of the person to whom the payments shall have been made.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—33.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Charitable Institutions, reported

A bill appropriating money to the Central Kentucky Lunatic Asylum.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of eighteen thousand (\$18,000) dollars is hereby appropriated to the Central Kentucky Lunatic Asylum, to pay for the buildings for which no appropriation has heretofore been made; and the further sum of thirteen thousand six hundred and sixty-two dollars and seventy-seven cents (\$13,662 77), which is to make up the deficit which occurred in the years 1873, 1874, 1875, and for furniture, stock, and implements, when the number of patients was small, and yet the current expenses almost as great as now; also the sum of three thousand dollars (\$3,000), to pay for the construction of a reservoir.

§ 2. The Auditor of Public Accounts is hereby directed to draw his warrant upon the State Treasurer for the three several amounts named above, to be paid out of any money in the treasurer not otherwise appropriated, when requested so to do in writing by the president of the board of commissioners of said Asylum, and on the receipt of the treasurer thereof.

§ 3. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Joseph B. Read,
Wm. J. Berry,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Scott Brown,	James W. Hays,	G. W. Swoope,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
P. F. Edwards,	P. A. Lyon,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	C. J. Walton—28.
H. F. Finley,		

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto,

Reported the same without amendment.

[*For bill, see Acts present session.*]

Mr. Swoope moved to amend said bill by striking out in the first section the words "citizens of Jefferson county," and insert in lieu thereof the words "citizens of Kentucky."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

H. F. Finley,                      G. W. Swoope—2.

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Scott Brown,	James W. Hays,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—26.
James B. Garnett,	Joseph B. Read,	

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was referred a resolution from the House of Representatives, entitled

Resolution to print report of the commissioners of the Kentucky Institution for the Deaf and Dumb,

Reported the same without amendment.

The question was then taken on the adoption of said resolution, and it was decided in the affirmative.

Mr. Blackburn, from the Committee on Charitable Institutions, reported

A bill to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. Turner proposed an amendment as a substitute for said bill.

*Ordered*, That said bill and proposed substitute be printed and placed in the orders of the day.

The Senate, according to order, took up for consideration

A bill for the benefit of Thomas Shanks, sheriff of the county of Jefferson.

Said bill reads as follows, viz :

WHEREAS, Thomas Shanks, sheriff of Jefferson county, settled his revenue account for the year 1874 in full, without having received credit for sundry exonerations and delinquent lists; and whereas, the Auditor of Public Accounts has no power or authority to allow said Shanks the amount of said exonerations and delinquent lists, without special legislation; therefore

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby authorized and directed to allow Thomas Shanks, sheriff of Jefferson county, the sum of one thousand three hundred and eighty-three dollars and thirty-three cents (\$1,383 33) credit on his revenue account for the year 1875, it being the amount of said exonerations and delinquent lists that ought to have been credited to him in the year 1874; and that this act take effect and be in force from its passage.

Mr. Tyler moved the following amendment as a substitute for said bill :

WHEREAS, Thomas Shanks, sheriff of Jefferson county, through the inadvertence of his book-keeper, J. A. Crumbaugh, who is now dead, failed to have his delinquent list of negro tax for the year 1874 passed upon by the Jefferson county court of claims, and was compelled to settle up his revenue for said year without receiving any credit therefor; now, therefore,



§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the said Thomas Shanks, sheriff of Jefferson county, be allowed until the next regular meeting of the Jefferson county court of claims to make out and submit to said court his delinquent list of negro tax for the year 1874, and when they have passed upon the same as provided for by section 7 of article 9, chapter 92, of General Statutes, and the same certified by the clerk of said court to the Auditor, the Auditor of Public Accounts be, and he is hereby, authorized and directed to allow said Shanks credit upon his negro tax list, for the year 1875, for the amount of said delinquent list so allowed and certified.

§ 2. That this act shall take effect and be in force from and after its passage.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
James Blackburn,	S. H. Jenkins,	J. H. Stanley,
Scott Brown,	J. R. Leslie,	G. W. Swoope,
W. W. Culbertson,	D. H. Lindsay,	E. W. Turner,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler,
Andrew J. Ewing,	P. A. Lyon,	Thos. W. Varnon,
H. F. Finley,	Sumner Marble,	W. L. Vories,
Joseph Gardner,	C. N. Pendleton,	C. J. Walton,
Wm. Cassius Goodloe,	Joseph B. Read,	George Wright—28.
Duncan Harding,		

In the negative—none.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of a resolution, which originated in the Senate, entitled

Resolution providing for an extension of the present session of the General Assembly beyond the constitutional limit of sixty days.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act regulating the jurisdiction of the circuit court for the ninth judicial district.

An act for the benefit of F. M. Woosley, sheriff of Edmonson county.

An act to legalize the action of the Livingston county court at its October term, 1872.

An act to incorporate the town of Glencoe, in Gallatin county.

An act to establish a criminal court in the 6th judicial district and Hardin county.

An act to establish a criminal court in the counties of Daviess, Hancock, Ohio, Meade, Grayson, and Breckinridge.

Leave was given to bring in the following bills, viz :

On motion of Mr. Ewing—

1. A bill to charter the Sharpsburg and Leight's Mill Turnpike Road Company, in Bath county.

On motion of Mr. Marble—

2. A bill to authorize Emma P. Barbour to be appointed guardian for George A. Sykes and Eliza Moore Sykes.

On motion of Mr. Simmons—

3. A bill to amend the charter of the Covington and Taylor Hill Turnpike Road Company.

On motion of Mr. Blackburn—

4. A bill to incorporate the Georgetown, Versailles, and Kentucky River Narrow-gauge Railroad.

*Ordered*, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on the Judiciary the 2d and 3d, and the Committee on Railroads the 4th.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Walnut Bend Fence Company, in Henderson and Union counties;

An act to authorize Graves county court of claims to issue bonds, and to create sinking fund to liquidate the same;

An act for the benefit of the tax-payers of Hardin county;

An act to amend and reduce into one the several acts relating to roads in Union county;

An act to improve the navigation of the South Fork of the Kentucky river in Clay county, on the narrows of said river;

An act for the benefit of C. K. Cluke;

And bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the purchasers of railroads ;

An act to authorize Logan county court to borrow money ;

An act to authorize the sale of stock owned by the Logan county court in the Louisville and Nashville Railroad Company ;

An act to amend article 2, chapter 33, entitled " Elections," of the General Statutes.

Resolution providing for an extension of the present session of the General Assembly beyond the constitutional limits of sixty days ;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, took up for consideration

A bill to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court.

The question was then taken on the amendment heretofore proposed by Mr. Tyler, and it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Read, excepting the city of Louisville and county of Jefferson from the provisions of said bill, and it was decided in the negative.

The question was then taken on the amendment heretofore proposed by Mr. Swoope, providing that the provisions of said bill in regard to manufacturing establishments shall not apply to manufacturing establishments within the city of Owensboro and county of Daviess, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

James W. Hays,	D. H. Lindsay,	G. W. Swoope,
B. W. S. Huffaker,	Joseph B. Read,	E. W. Turner—6.

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	Sumner Marble,
Thos. J. Barker,	Joseph Gardner,	C. N. Pendleton,
Wm. J. Berry,	James B. Garnett,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	H. A. Tyler,

W. W. Culbertson,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	P. A. Lyon,	George Wright—24.

Mr. Swoope then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Culbertson,	P. A. Lyon,	G. W. Swoope—5.
B. W. S. Huffaker,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Robert Simmons,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	James W. Hays,	E. W. Turner,
James Blackburn,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	Sumner Marble,	C. J. Walton—23.
Joseph Gardner,	C. N. Pendleton,	

Mr. Read then moved to recommit said bill to the select committee from which it originated.

And the question being taken on the adoption of said motion, it was decided in the negative.

*Ordered,* That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	S. H. Jenkins,	J. H. Stanley,
James Blackburn,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
Andrew J. Ewing,	Sumner Marble,	George Wright—19.
H. F. Finley,		

Those who voted in the negative, were—

W. W. Culbertson,	P. A. Lyon,	Thos. W. Varnon,
Wm. Cassius Goodloe,	Joseph B. Read,	W. L. Vories,



James W. Hays,            G. W. Swoope,            C. J. Walton—10.  
B. W. S. Huffaker,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Read, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Richard H. Collins,

Reported the same without amendment.

Said bill reads as follows, viz :

WHEREAS, Richard H. Collins claims that the Commonwealth ought to carry out the provisions of "An act directing the purchase of Collins' Historical Sketches of Kentucky," which was passed on the 20th day of March, 1871; and that he has been injured by the delay and refusal of officers of the State to comply with same, and is thus far without remedy of any kind; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for said Richard H. Collins to institute a suit against the Commonwealth of Kentucky, in the Kenton Chancery Court, to have a judicial construction of said act, and to decide the liability of the State, if any, under said act, and to recover from the Commonwealth any and whatever damages he may have sustained, if any, by the refusal and delay, if any, to comply with said act.

§ 2. Process shall be served upon the Attorney General, and all the allegations of the petition shall be considered as controverted, and shall be established by proof.

§ 3. If the judgment of the chancery court shall be in favor of plaintiff, and no appeal be taken within the time required by law, or if an appeal be taken to the Court of Appeals, and the judgment be affirmed by said court, then plaintiff shall comply with the requirements of said act in every respect as set forth therein, if so adjudged by said court, or whatever said judgment shall be, if any, in favor of said plaintiff, the Auditor shall draw his warrant upon the Treasurer for the amount thereof, in installments, if so required, and the Treasurer is directed to pay same.

§ 4. This act shall take effect from its passage.

Mr. Tyler moved to amend said bill by striking out the words "Kenton chancery court," in the first section thereof, and inserting in lieu thereof the words "Franklin circuit court."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James B. Garnett,	J. R. Leslie,
Andrew J. Ewing,	James W. Hays,	Sumner Marble,
H. F. Finley,	B. W. S. Huffaker,	H. A. Tyler,
Joseph Gardner,	S. H. Jenkins,	George Wright—12.

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Thos. J. Barker,	D. H. Lindsay,	G. W. Swoope,

James Blackburn,	R. B. Lovel,	E. W. Turner,
Scott Brown,	P. A. Lyon,	Thos. W. Varnon,
W. W. Culbertson,	C. N. Pendleton,	W. L. Vories,
W. A. Cunningham,	Joseph B. Read,	C. J. Walton—19.
Wm. Cassius Goodloe,		

Mr. J. W. Hays moved to amend said bill by adding the following as an additional section, viz :

*Be it further enacted,* That it shall be the duty of the Attorney General for the State of Kentucky to defend the said suit when the same is instituted, as provided for herein.

Mr. Tyler moved the following amendment as a substitute for the amendment proposed by Mr. J. W. Hays :

Add to second section: "That the Attorney General shall attend in person to the defense of said suit, and for his services herein is allowed \$250, for which the Auditor, when the services are rendered, shall draw his warrant upon the treasury in favor of said Attorney General.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	James W. Hays,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
H. F. Finley,	S. H. Jenkins,	C. J. Walton,
Joseph Gardner,	J. R. Leslie,	George Wright—16.
James B. Garnett,		

Those who voted in the negative, were—

Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	D. H. Lindsay,	J. H. Stanley,
W. W. Culbertson,	R. B. Lovel,	G. W. Swoope,
W. A. Cunningham,	P. A. Lyon,	Thos. W. Varnon,
Andrew J. Ewing,	Joseph B. Read,	W. L. Vories—15.

The question was then taken on the adoption of the amendment proposed by Mr. J. W. Hays, as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	E. W. Turner,
H. F. Finley,	B. W. S. Huffaker,	H. A. Tyler,
Joseph Gardner,	S. H. Jenkins,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—14.
Wm. Cassius Goodloe,	Sumner Marble,	

Those who voted in the negative were—

Thos. J. Barker,	W. A. Cunningham,	Joseph B. Read,
Wm. J. Berry,	Andrew J. Ewing,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Scott Brown,	J. R. Leslie,	G. W. Swoope,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories—18.

Mr. Gardner proposed the following amendment to said bill:

*Provided*, That nothing in this act shall give said Collins the right to recover against the State more than the value of five thousand (5,000) copies of his History of Kentucky, without anything for damage he may have sustained. The price of said History shall be the same as indicated in an act passed for the benefit of Richard H. Collins, on the 20th of March, 1871.

Mr. Turner then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Gardner, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gardner and Finley, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Berry,	James B. Garnett,	Sumner Marble,
James Blackburn,	James W. Hays,	H. A. Tyler,
H. F. Finley,	John Hyden,	C. J. Walton,
Joseph Gardner,	S. H. Jenkins,	George Wright—12.

Those who voted in the negative, were—

Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Scott Brown,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	J. R. Leslie,	G. W. Swoope,
W. W. Culbertson,	D. H. Lindsay,	E. W. Turner,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories—20.
Wm. Cassius Goodloe,	Joseph B. Read,	

Mr. Finley then moved to commit said bill to the Committee on the Judiciary.

And the question being taken on the adoption of said motion, it was decided in the affirmative, by the casting vote of the Speaker of the Senate.

The yeas and nays being required thereon by Messrs. Finley and Tyler, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Berry,	Joseph Gardner,	S. H. Jenkins,
James Blackburn,	James B. Garnett,	J. R. Leslie,
Scott Brown,	James W. Hays,	Sumner Marble,



W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler,
Andrew J. Ewing,	John Hyden,	George Wright—16.
H. F. Finley,		

Those who voted in the negative, were—

Thos. J. Barker,	R. B. Lovel,	G. W. Swoope,
F. L. Cleveland,	P. A. Lyon,	E. W. Turner,
W. W. Culbertson,	Joseph B. Read,	Thos. W. Varnon,
P. F. Edwards,	Robert Simmons,	W. L. Vories,
Duncan Harding,	J. H. Stanley,	C. J. Walton—16.
D. H. Lindsay,		

Mr. Cleveland moved that the Committee on the Judiciary be directed to report said bill on Saturday morning next, the 26th inst., at 10½ o'clock.

Which motion was adopted.

Mr. Lindsay, from the Committee on Claims, to whom was referred a resolution from the House of Representatives, entitled

Resolution appropriating money to W. H. Gillis,

Reported the same without amendment.

Said resolution reads as follows, viz :

WHEREAS, In the contested election case of Prichard vs. Culbertson, the clerk, W. H. Gillis, was on duty thirty-seven days and many nights ; therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrant upon the Treasurer for the sum of one hundred dollars (\$100) in favor of said Gillis, out of any money not otherwise appropriated.

Mr. Swoope moved to amend said resolution by striking out “ \$100,” and inserting in lieu thereof “ \$50.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. J. Walton—5.
Andrew J. Ewing,	G. W. Swoope,	

Those who voted in the negative, were

Wm. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	George Wright—26.
James B. Garnett,	Sumner Marble,	



Pending the consideration of said resolution, the hour of two o'clock, P. M., having arrived, the regular hour of adjournment, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock this evening.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Elizabethtown, Lexington, and Big Sandy Railroad."

An act to amend an act, entitled "An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Paris."

An act for the benefit of the Kentucky Mutual Benefit Association, of Maysville, Kentucky.

An act changing the times of holding quarterly courts in Bourbon county.

An act to repeal the charter of Big Spring, in the counties of Meade, Hardin, and Breckinridge.

An act to repeal the charter of the Louisville, Memphis, and New Orleans Railroad.

An act to repeal an act, entitled "An act for the preservation and production of game and fish in Bourbon county," approved January 22, 1874.

An act to amend the charter of the Mt. Freedom and Jessamine County Turnpike Road Company.

An act for the benefit of Garrard county.

An act to incorporate Anchorage Presbyterian Church.

An act relating to the New Orleans, St. Louis, and Chicago Railroad Company, a corporation formed by the consolidation of the Mississippi Central and New Orleans, Jackson, and Great Northern Railroad Companies.

An act to regulate the time of holding the circuit courts in the 2d judicial district

An act to repeal the act incorporating the town of Milford, in Bracken county.

An act to authorize the Lawrence county court to levy an additional tax for road and bridge purposes, and for public improvement.

An act for the benefit of the Daily Volksblatt, of Louisville, Kentucky.

An act for the benefit of James V. Payne, sheriff of Fleming county.

An act for the benefit of Henry F. Cornelius, A. Cornelius, and J. W. Gooch.

An act incorporating the Home Savings Bank of Winchester, Kentucky.

An act incorporating the Clintonville Cemetery Company, of Bourbon county.

An act for the benefit of W. A. Mahon, sheriff of Muhlenburg county.

An act to incorporate the Agricultural Bank of Paris, Kentucky.

An act for the benefit of Noel Simmons, sheriff of Bullitt county.

An act for the benefit of Allensville voting precinct, in Todd county.

An act to charter the deposit bank of L. Goodpaster, Sons & Co., of Owingsville, Bath county.

An act to amend an act, entitled "An act to incorporate the Richmond, Irvine and Three Forks Railroad," approved February 28, 1873.

An act to provide and maintain public schools in Cloverport, Breckinridge county.

An act to regulate the sale of spirituous, vinous, and malt liquors in the town of Shelbyville.

Resolution appropriating \$1,000 for the purpose of erecting a stable on the Executive grounds, according to the plans and specifications furnished by John Haly.

That they had disagreed to a resolution, which originated in the Senate, entitled

Resolution appropriating money to build a stable on the public grounds attached to the Executive Mansion.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Richmond Hotel Company.
2. An act to amend the common school law.
3. An act to incorporate the Odd Fellows' Funeral Aid Association, of Maysville.
4. An act to amend the charter of the Congregation of Adas Israel.

5. An act to incorporate the Baptist Church of New Liberty, Owen county.

6. An act incorporating the St. Mary's, Raywick, and New Hope Turnpike Road Company.

7. An act to amend the charter of the city of Paducah.

8. An act to authorize McCracken county to levy a tax for county expenses.

9. An act to increase the county levy of Boyle county.

10. An act to establish a criminal court in the 14th judicial district.

11. An act in aid of common school district No. 29, Marshall county.

12. An act authorizing the Martin county court to issue bonds for the purpose of erecting and repairing public buildings in said county, and providing for the payment of the same.

13. An act for the benefit of common school district No. 30, in McLean county.

14. An act giving the police judge of Paradise, Muhlenburg county, concurrent jurisdiction with justices of the peace.

15. An act to authorize the trustees of Brandenburg to sell and convey real estate lying in the corporate limits of said town.

16. An act to authorize the trustees of the Methodist Episcopal Church, South, in Brandenburg, Meade county, to sell and convey certain church property for the benefit of said church.

17. An act to repeal the local option law in Lawrenceburg, Anderson county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on General Statutes and Codes of Practice; the 2d, 11th, and 13th to the Committee on Education; the 3d, 4th, 5th, and 17th to the Committee on Religion and Morals; the 7th, 15th, and 16th to the Committee on the Judiciary; the 8th, 10th, 12th, and 14th to the Committee on Courts of Justice; the 9th to the Committee on Privileges and Elections, and the 6th was ordered to be read the third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. J. W. Hays, from the Committee on the Judiciary—

1. A bill to amend an act, entitled “An act to establish a criminal court in the counties of Daviess, Hancock, Ohio, Meade, Grayson, and Breckinridge.”

By Mr. Simmons, from the Committee on Banks and Insurance—

2. A bill to exempt certain benevolent and charitable associations from the operation of the general life insurance laws of this Commonwealth.

By Mr. Tyler, from the Committee on the Judiciary—

3. A bill to repeal chapter 65, General Statutes, and to re-establish the office of receiver of lands west of the Tennessee river.

By Mr. Edwards, from the Committee on Propositions and Grievances—

4. A bill to amend the charter of the city of Newport.

By Mr. Barbour, from the Committee on Banks and Insurance—

5. A bill to incorporate the bank of Cynthiana.

By Mr. Culbertson, from the Committee on Finance—

6. A bill to tax public exhibitions in the town of Ashland for the benefit of the common schools of the town.

By Mr. Hyden, from the Committee on Internal Improvement—

7. A bill to amend an act, entitled “An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road, in Rockcastle county.”

By same—

8. A bill to amend an act, entitled “An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road, in Knox county.”

By Mr. Lindsay, from the Committee on Claims—

9. A bill for the relief of M. B. Cox, late sheriff of Morgan county, and his sureties.

By Mr. Leslie, from the Committee on Claims—

10. A bill for the benefit of James W. Linden and Thos. J. Settle, of Breathitt county.

By Mr. Ewing, from the Committee on Finance—

11. A bill for the benefit of the sheriff of Rowan county.



Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 9th be committed to the Committee on the Judiciary; the 10th be placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Simmons, from the Committee on Banks and Insurance—

An act for the benefit of the Building and Loan Association of Carrollton.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to prevent the sale of spirituous, malt, or vinous liquors within one mile of the court-house in the town of Columbia.

By Mr. Simmons, from the Committee on the Judiciary—

An act defining the duty of the sheriff and other officers executing an original process in Kenton county.

By Mr. Marble, from the Committee on Banks and Insurance—

An act to incorporate the Traders' Deposit Bank of Mt. Sterling, Kentucky.

By Mr. Read, from the Committee on Education—

An act to incorporate the Prentice Club of Louisville, Kentucky.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to prohibit the sale of spirituous liquors in the town of Monticello, Wayne county, and within five miles of said town.

By same—

An act to repeal an act, entitled "An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties."

By Mr. Edwards, from the Committee on Propositions and Grievances—

An act concerning Mill Creek and its tributaries, in Jefferson county.

By Mr. Read, from the Committee on Education—

An act to incorporate Kentucky College.

By Mr. Blackburn, from the Committee on Charitable Institutions—

An act to incorporate the Odd Fellows' Orphanage and Home, of Louisville, Kentucky.

By Mr. Walton, from the Committee on Claims—

An act for the benefit of Fletcher Chelf, of Marion county.

By Mr. Varnon, from the Committee on Railroads—

An act to consolidate the Louisville, Harrod's Creek, and Westport Railway Company with the Louisville and Covington Railway Company.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate Farmers and Traders' Bank of Lexington, Kentucky.

By Mr. Tyler, from the Committee on Courts of Justice—

An act to incorporate the Green River Iron and Coal Company.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

The question was then taken on concurring in the adoption of said amendment, and it was decided in the affirmative.

Mr. Briggs, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the jailer of Daviess county,

Reported the same without amendment.

Mr. Finley proposed an amendment to said bill.

Which was adopted.

Mr. Finley then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	George Wright—10.
H. F. Finley,		

Those who voted in the negative, were—

Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	S. H. Jenkins,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	G. W. Swoope,
W. A. Cunningham,	R. B. Lovel,	E. W. Turner,
Andrew J. Ewing,	P. A. Lyon,	Thos. W. Varnon,
Joseph Gardner,	C. N. Pendleton,	W. L. Vories,
Wm. Cassius Goodloe,	Joseph B. Read,	C. J. Walton—21.

Mr. Barker moved to recommit said bill to the Committee on Claims.

Which motion was adopted.

Mr. Turner, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of C. K. Oldham, late sheriff of Madison county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, C. K. Oldham, late sheriff of Madison county, paid to the Auditor of Public Accounts nine hundred and one dollars and eight cents, as a penalty for the non-payment of the revenue of the year 1872 at the time prescribed by law; and also paid to the Auditor the further sum of six hundred and seventy-seven dollars and ten cents, as a penalty for the non-payment of the revenue of the year 1873 at the time prescribed by law, none of which, except seventy-five dollars, was ever collected by him from the tax-payers; and whereas, the Court of Appeals have decided that the law under which said penalties were paid is unenforceable; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to credit C. K. Oldham, late sheriff of Madison county, with the sum of fifteen hundred and three dollars and eighteen cents on the amount due the State from him.

§ 2. That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—34.
Joseph Gardner,		

In the negative—R. B. Lovel—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Lindsay, from the Committee on Claims, reported

A bill to allow the payment of the reward offered by the Governor of this Commonwealth for the apprehension and conviction of Augden Bridgewater.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, The Governor of this Commonwealth, on the 4th day of March, 1874, offered a reward of five hundred dollars for the apprehension and conviction of Augden Bridgewater, charged with feloniously breaking and robbing a jewelry store of goods to the value of \$1,500; and whereas, on the        day of March, 1875, said Bridgewater was apprehended and committed to the jail of Mercer county, and T. J. Cornellison and others lay claim to said reward; and whereas, said Cornellison is an important witness for the Commonwealth in the prosecution of said Bridgewater, and the evidence of said witness will be greatly weakened and impaired in consequence of his said claim; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, The Auditor of Public Accounts is hereby directed to draw his warrant upon the treasurer in payment of said reward, before conviction, and in favor of the party thereto.

§ 2. The Boyle circuit court is now given jurisdiction to herein determine the claims of all parties asserting an interest in and to said reward; and said claim, when allowed, shall be certified with other claims allowed by said court to the Auditor for payment. From the decision of the said court either party may appeal to the Court of Appeals. Any claimant may demand a jury.

§ 3. This act shall take effect upon its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.



The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—34.
Joseph Gardner,		

In the negative—G. W. Swoope—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Walton, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Fanny Carr,

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Fanny Carr, of the county of Bath, State of Kentucky, be, and she is hereby, allowed the sum of three hundred dollars (\$300) for keeping and providing for Bill Alexander, a pauper lunatic, from the 23d day of March, 1873, up to the 25th March, 1875.

§ 2. That the Auditor of Public Accounts be directed to draw his warrant on the Treasurer for that amount in favor of said Fanny Carr.

§ 3. This act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,

W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—37.
Joseph Gardner,		

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

And then the Senate adjourned.

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### FRIDAY, FEBRUARY 25, 1876.

A message was received from the House of Representatives, announcing that they had passed bills and concurred in the adoption of resolutions, which originated in the Senate, of the following titles, viz :

An act to incorporate the Maysville and Lexington Railroad Company, Northern Division.

An act to legalize the proceedings of the Washington county court in regard to the sheriff's bond.

An act to incorporate the Anderson County Deposit Bank.

Resolution in relation to binding the addresses delivered on the death of General John C. Breckinridge.

Resolution providing for the appointment of a commission to investigate a claim of S. L. Chevis, of Lexington.

That they had passed bills of the following titles, viz :

1. An act to amend an act incorporating the town of Frenchburg, in Menifee county, Kentucky.

2. An act conferring certain powers on the board of trustees of the town of Hazelgreen, Wolfe county.

3. An act to amend the charter of the town of Caseyville, Union county.

4. An act to amend section 6, chapter 75, General Statutes, for the benefit of the sheriffs of Metcalfe and Monroe counties.

5. An act to amend article 2, chapter 33, General Statutes, for the benefit of Metcalfe county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 3d to the Committee on the Judiciary, and the 4th and 5th to the Committee on Courts of Justice.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Kentucky Grangers' Mutual Benefit Society.

By same—

An act to incorporate the State Grange of the Patrons of Husbandry of Kentucky.

By Mr. Culbertson, from the Committee on Finance—

An act for the benefit of H. M. Alexander, sheriff of Cumberland county.

By Mr. Tyler, from the Committee on Education—

An act to incorporate the Students' Association of Georgetown College.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Lovel, from the Committee on Propositions and Grievances—

1. A bill to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Vanceburg, in Lewis county."

By same—

2. A bill to authorize the jailer of Mason county to appoint an assistant.

By Mr. Leslie, from the Committee on Courts of Justice—

3. A bill for the benefit of J. E. Mulkey, sheriff of Monroe county.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

4. A bill to incorporate the Grassy Flat Ditch Company, of Daviess county.

By Mr. Barker, from the Committee on Internal Improvement—

5. A bill to create a State Board of Internal Improvement Commissioners, and to authorize the employment of convict labor on the navigable rivers of the State.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 5th of said bills be printed and placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Speaker laid before the Senate the petition of John E. Du Bois, praying the passage of an act changing the limits of the city of Bowling Green.

Which was received, the reading dispensed with, and referred to the Committee on Propositions and Grievances.

The Speaker also laid before the Senate the following communication from the mayor of the city of Paducah :

MAYOR'S OFFICE, }  
PADUCAH, KY., Feb. 23d, 1876. }

HON. J. C. UNDERWOOD, *Lieutenant Governor, Frankfort, Kentucky.*

DEAR SIR: A bill has passed the House of Representatives, No. 339, and reported to the Senate, in relation to the collection of taxes in Paducah, Kentucky, and referred to the Judiciary Committee of the Senate, which bill has been lost, mislaid or destroyed. It is important for the interest and prosperity of this city that the bill be found and passed. I am informed that a search has been made for the bill, and it cannot be found. I think it due to the dignity of the Senate that the matter be investigated and thoroughly sifted, and as Mayor of Paducah, I respectfully ask you to cause an investigation to be had.

Respectfully yours,

J. G. FISHER, *Mayor of Paducah.*



Mr. Jenkins moved that a committee be appointed to investigate said matter.

Which motion was adopted.

The Speaker appointed Messrs. Marble, Ewing, and Finley said committee.

A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY,  
EXECUTIVE DEPARTMENT, Feb. 25, 1876. }

*Gentlemen of the Senate and House of Representatives :*

In accordance with a resolution adopted by the General Assembly, and approved February 15th, 1876, I appointed ten commissioners, who, together with the State Geologist and myself, constitute the "Kentucky Centennial Board."

A meeting of this Board was held at the Executive office on Thursday, February 24th, 1876, "to take such steps and do such things as seemed proper for securing, at the Centennial Exposition at Philadelphia, a due representation by specimens, publication, and otherwise, of the natural resources of the Commonwealth, especially in timber, coal, lead, iron, and other mineral wealth, and of such other things as illustrate the resources of the Commonwealth, developed and undeveloped, or promote its interest." After careful consideration of their important duties, the commissioners presented to me the following communication, with the request that I present it to the General Assembly of Kentucky :

FRANKFORT, KY., February 24, 1876.

*To His Excellency, the Governor of Kentucky :*

The undersigned commissioners, appointed by your Excellency to have duly represented in the Centennial Exposition of Philadelphia the mineral, agricultural, and mechanical interests of the State, as provided for by the joint resolution of the Legislature under which we hold our appointment, beg leave to respectfully represent, that, after duly considering the subject, we are forced to the conclusion that the sum appropriated is insufficient for the accomplishment of the object contemplated in that efficient manner which the people of the State have a right to anticipate. Since assembling here to-day, we learn from authoritative source that the space available in the buildings of the Exposition is so limited as to render it impossible that our minerals alone can be properly exposed, leaving out all other objects of general interest which the State can so richly supply. The grounds selected for the Exposition are not yet fully occupied; but to open up our specimens and productions without the protection of shelter would be inexpedient, and result in lamentable disappointment.

We do not perceive how we can meet the expectations of the Legislature without the means are afforded us of erecting a building in which our display can be made, and are assured that this can be accomplished without any serious draft upon our treasury. With five thousand dollars (\$5,000) additional appropriation, we have positive assurance that our part in that grand national gathering can be made respectable and of enduring advantage to the State.

We possess, in very rich abundance, a great variety of minerals which will be duly appreciated by the intelligence of foreign governments as well as our people. Our agricultural productions are of a character to excite deep interest in all people of every clime, and our mechanical skill will attract attention from all observers; and all that is needed to make this display very valuable to Kentucky, is the means to fairly lay them before the world. The building would be used for that purpose primarily, but is very essential as a kind of headquarters for Kentuckians.

If your Excellency concurs with us in the suggestions presented, we respectfully ask that you will, by message, present this communication to the Legislature, with such urgency of recommendation as may seem to be demanded by its importance.

If favorably viewed by that honorable body, we trust that we shall be speedily allowed to carry forward a measure which we feel fully assured will result to the great interest of the State.

Very respectfully, your obedient servants,

W. B. MACHEN,  
CLINTON GRIFFITH,  
E. C. HOBSON,  
J. C. HUGHES,  
WILLIAM WARFIELD,  
JENNINGS PRICE,  
JOHN DISHMAN,  
FRANCIS L. CLEVELAND,

*Commissioners.*

This memorial coming, as it does, from a Board of Commissioners representing every section of the Commonwealth and almost every industry and profession, is sufficient without any comment from me; yet the importance of the subject and the great interests involved induce me to add something to what I have said in a former message.

You have already declared that Kentucky shall be represented in the Centennial Exposition. If represented at all, it should be in a way commensurate with the wealth, resources, and greatness of our State. A meager representation is, perhaps, worse than no representation. States are vying with each other in generous rivalry in their efforts to help this International Exhibition in which the arts, products, minerals, manufactures, and live-stock of the world will be represented. The indications at present are, that it will be an event that will be forever remembered in

the history of this Republic, and that in magnificence of arrangement, grandeur of display, and the multitude in attendance, it will surpass any similar Exposition ever held.

Nearly all the civilized Powers of the Earth have, through the proper authorities, agreed to take part in this Exposition, and many of them have sent their own skilled mechanics to erect suitable buildings. Headquarters of considerable architectural beauty, and commodious exhibit-ory buildings, have been erected by seventeen States of this Union; and almost every State and Territory will participate.

The estimate that the guests of the nation, as well as citizens of our sister States, will form of Kentucky, will largely depend on the display made by us at this our first National Exhibition. The space allowed Kentucky in the Centennial buildings already erected is entirely inadequate to the necessities of our State; and if anything like a proper and creditable display is made, we must increase the space at our own expense, as many other States have done.

The Commissioners from each of the Congressional Districts of the Commonwealth, defraying their own expenses, have come to the Capital—many of them from distant homes—and, actuated by a sense of duty and devotion to their State, ask you to increase the appropriation.

The question presented is one of business, and not of passion or pleasure. Plainly, it is: Shall Kentucky take *her proper position* when all the States of the Union and all the nationalities of the world are brought face to face, by advertising in a proper way, on this world-wide stage, her greatness and attractions?

Our State is able, from her abundance, to spare the amount asked for; and, aside from the capital that might be attracted by a proper display, and the sturdy immigrants who thus might be drawn here to build railroads, found industries, and expand our commerce and wealth, it is our duty, if Kentucky participates at all in this grand international display, to make such participation worthy of our people, our past history, and our future hopes.

JAMES B. McCREARY,

*Governor of Kentucky.*

*Ordered;* That said communication be printed and referred to the joint select committee heretofore appointed in relation to Centennial appropriations.

Mr. Cunningham moved to reconsider the vote by which the Senate had, on yesterday, referred to the Committee on the Judiciary a bill from the House of Representatives, entitled

An act for the benefit of Richard H. Collins.



And the question being taken on the adoption of said motion, it was decided in the affirmative.

Said bill reads as follows, viz :

WHEREAS, Richard H. Collins claims that the Commonwealth ought to carry out the provisions of "An act directing the purchase of Collins' Historical Sketches of Kentucky," which was passed on the 20th day of March, 1871; and that he has been injured by the delay and refusal of officers of the State to comply with same, and is thus far without remedy of any kind; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be lawful for said Richard H. Collins to institute a suit against the Commonwealth of Kentucky, in the Kenton Chancery Court, to have a judicial construction of said act, and to decide the liability of the State, if any, under said act, and to recover from the Commonwealth any and whatever damages he may have sustained, if any, by the refusal and delay, if any, to comply with said act.

§ 2. Process shall be served upon the Attorney General, and all the allegations of the petition shall be considered as controverted, and shall be established by proof.

§ 3. If the judgment of the chancery court shall be in favor of plaintiff, and no appeal be taken within the time required by law, or if an appeal be taken to the Court of Appeals, and the judgment be affirmed by said court, then plaintiff shall comply with the requirements of said act in every respect as set forth therein, if so adjudged by said court, or whatever said judgment shall be, if any, in favor of said plaintiff, the Auditor shall draw his warrant upon the Treasurer for the amount thereof, in installments, if so required, and the Treasurer is directed to pay same.

§ 4. This act shall take effect from its passage.

The yeas and nays being required thereon by Messrs. Finley and Berry, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton—26.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Wm. J. Berry,	James W. Hays,	J. H. Stanley,
Andrew J. Ewing,	B. W. S. Huffaker,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	George Wright—11.
James B. Garnett,	Sumner Marble,	

The Senate then took up for consideration a bill from the House of Representatives, entitled

An act for the benefit of Richard H. Collins.



Mr. Cunningham then moved to amend said bill by striking out the words "Kenton chancery court," and inserting in lieu thereof the words "Franklin circuit court," and also by striking out the word "chancery" in the first line of the third section, and inserting in lieu thereof the word "circuit."

Which motion was adopted.

Mr. Tyler then moved to amend said bill as follows, viz :

Add at the close of 2d section: "And the time and place of taking depositions; shall be agreed upon by and between the plaintiff and Attorney General, and the Attorney General is directed to be present and examine witnesses; and for his said services is to be allowed five dollars per day for each day he is so engaged, and his traveling expenses, when he is compelled to go beyond the limits of Franklin county to attend to taking said depositions, all of which shall be paid by the Treasurer upon the warrant of the Auditor.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. J. W. Hays then moved to reconsider the vote by which the Senate had rejected said amendment.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	S. H. Jenkins,
Wm. J. Berry,	James B. Garnett,	J. R. Leslie,
Robert A. Briggs,	Wm. Cassius Goodloe,	Sumner Marble,
Andrew J. Ewing,	James W. Hays,	H. A. Tyler,
H. F. Finley,	B. W. S. Huffaker,	George Wright—15.

Those who voted in the negative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	D. H. Lindsay,	E. W. Turner,
W. W. Culbertson,	R. B. Lovel,	Thos. W. Varnon,
W. A. Cunningham,	P. A. Lyon,	W. L. Vories,
P. F. Edwards,	C. N. Pendleton,	C. J. Walton—21.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	P. F. Edwards,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton—21.

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	C. N. Pendleton,
Andrew J. Ewing,	B. W. S. Huffaker,	J. H. Stanley,
H. F. Finley,	John Hyden,	H. A. Tyler,
Joseph Gardner,	J. R. Leslie,	George Wright—16.
James B. Garnett,		

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration a resolution, which originated in the House of Representatives, entitled

Resolution appropriating money to W. H. Gillis.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

Leave was given to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill to amend the charter of the town of Hartford.

On motion of same—

2. A bill to establish a bank in Hartford.

On motion of Mr. Walton—

3. A bill for the benefit of Patrick Rush, jailer of Hart county.

*Ordered*, That the Committee on Religion and Morals prepare and bring in the 1st ; the Committee on Banks and Insurance the 2d, and the Committee on Claims the 3d.

A message was received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to increase the jurisdiction of the police judge of Moscow, Hickman county, in civil cases.

2. An act to incorporate the Salem Gemeinde, of Newport, Kentucky.

3. An act to incorporate Guthrie City, in Todd county.

4. An act for the benefit of Charles Wickliffe, late sheriff of Muhlenburg county.

5. An act to fix the time of holding the quarterly courts of Muhlenburg county.

6. An act to indemnify breeders and dealers in sheep from losses caused by raid of dogs in certain parts of Nelson county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on the Judiciary; the 2d and 5th to the Committee on Courts of Justice; the 4th to the Committee on Finance, and the 6th to the Committee on Agriculture and Manufactures.

Leave was given to bring in the following bills, viz:

On motion of Mr. Culbertson—

1. A bill empowering the board of trustees of the town of Catlettsburg to sell and convey lot number thirty-seven in said town.

On motion of same—

2. A bill to regulate the mode and manner in which claims against the county of Boyd shall be presented to the county court of Boyd county.

On motion of same—

3. A bill to amend and reduce into one the acts and amendatory acts incorporating the city of Ashland.

On motion of Mr. Gardner—

4. A bill to appoint commissioners to properly locate the county line between the counties of Morgan and Menifee.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st, 3d, and 4th, and the Committee on Finance the 2d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act to amend the charter of the city of Paducah.

By same—

An act to authorize the trustees of Brandenburg to sell and convey real estate lying in the corporate limits of said town.

By same—

An act to authorize the trustees of the Methodist Episcopal Church, South, in Brandenburg, Meade county, to sell and convey certain church property for the benefit of said church.

By Mr. Gardner, from the Committee on Education—

An act to establish an institution of learning in or near the town of Proctor, in Lee county.

By same—

An act for the benefit of sundry common school districts of Pulaski county.

By Mr. Tyler, from the Committee on Courts of Justice—

An act to change the time of holding the Union circuit court.

By Mr. Wright, from the Committee on Finance—

An act for the benefit of G. P. Jolly, late sheriff of Breckinridge county.

By Mr. Ewing, from the Committee on Finance—

An act authorizing court of claims of Hancock county to levy an additional ad valorem tax of twenty cents.

By Mr. Read, from the Committee on Education—

An act in aid of common school district No. 29, Marshall county.

By Mr. Tyler, from the Committee on the Judiciary—

An act concerning judicial sales of the property and franchises of railroad and turnpike corporations.

With amendments to the last two named bills.

Which were adopted.

*Ordered*, That the last named bill and amendment be printed and placed in the orders of the day, and the others, the next to the last named as amended, be severally read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act for the benefit of B. R. Nall and other sureties of Joseph Greer, late sheriff of Larue county.

Which was granted, and the bill delivered to the messenger.

On motion of Mr. Cleveland, leave of absence, indefinitely, was granted Messrs. Lovel and Swoope.

Mr. Gardner moved that the Committee on the Judiciary be directed to report, on Tuesday next, the 29th inst.,



A bill for the relief of M. B. Cox, late sheriff of Morgan county, and his sureties.

Which motion was adopted.

Mr Barker, from a select committee, to whom was referred a resolution from the House of Representatives, entitled

Resolution touching Patterson's forms for county officers,

Reported the same without amendment.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the forms prepared by W. N. Patterson for county officers, embracing their respective duties systematically arranged and condensed, and they are recommended for use by said officers.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

*Resolved,* That the title of said resolution be as aforesaid.

Mr. Edwards, from the Committee on Claims, reported

A bill for the benefit of B. D. Bailey, of Webster county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered,* That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Lewis Cox had been convicted of felony in the Webster circuit court, and was in the Webster county jail ; and whereas, George Spillman and Sol. Ruby were confined in said jail upon a charge of felony ; and whereas, said Lewis Cox, George Spillman, and Sol. Ruby, being so confined, made their escape from said jail in the month of November last ; and whereas, the said circuit court being in session at the time of said escape, the judge thereof directed the said B. D. Baily, who was then sheriff of said county, to pursue, and if possible capture, the said Cox, Spillman, and Ruby ; and whereas, the said B. D. Baily did, thereupon, pursue to and capture in the State of Illinois the said Cox, Spillman, and Ruby, and caused them to be lodged in jail in the State of Kentucky ; and whereas, the said Baily in so doing incurred expense, and was at great trouble ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the Auditor of the State draw his warrant upon the Treasurer of the State for the sum of one hundred and fifty dollars in favor of said B. D. Baily.

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	P. A. Lyon,
Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
James Blackburn,	James B. Garnett,	Robert Simmons,
Scott Brown,	Duncan Harding,	J. H. Stanley,
F. L. Cleveland,	James W. Hays,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
P. F. Edwards,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—27.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Walton, from the Committee on Claims, to whom was referred leave to bring in

A bill for the benefit of A. J. Butram, of Edmonson county,

Asked to be discharged from the further consideration of the leave.

And the question being taken on the adoption of said motion, it was decided in the negative.

*Ordered*, That Mr. Walton report said bill.

Mr. Walton, from the Committee on Claims, reported

A bill for the benefit of A. J. Butram, of Edmonson county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, William Sanders was a fugitive from justice ; and whereas, the Governor of this State made a requisition upon the Governor of Indiana for said fugitive, and A. J. Butram, was made the agent of the Commonwealth ; and whereas, said Butram arrested the aforesaid fugitive in Mitchell, Indiana, and brought him to this State, and delivered him to the jailer of Edmonson county ; and whereas, the said Butram, in making the aforesaid arrest, conveying and delivering said fugitive as aforesaid, was put to great trouble as well as considerable expense ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant upon the Treasury in favor of A. J. Butram, of Edmonson county, for the sum of eighty-two dollars and thirty cents.

§ 2. This act to take effect from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barker and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
P. F. Edwards,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	Sumner Marble,	George Wright—17.
Joseph Gardner,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	E. W. Turner,
James Blackburn,	James W. Hays,	C. J. Walton—11.
Scott Brown,	J. R. Leslie,	

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration

A bill regulating practice in civil cases.

The question was then taken on the adoption of the amendment heretofore proposed by Mr. Read, which reads as follows, viz :

“In section 225, line 3, strike out the words ‘or after.’”

And it was decided in the affirmative.

*Ordered*, That the further consideration of said bill be postponed until Monday next, the 28th inst.

Mr. Marble moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act to establish a State Board of Health, to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

Which motion was simply entered.

Mr. Marble moved to reconsider the vote by which the Senate had rejected a bill, entitled

An act to provide for rebuilding the State bridge across Green river at Rio, Hart county.

Which motion was simply entered.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on Finance—

1. A bill for the benefit of Hezekiah McKeehan, committee of Isaac McKeehan, pauper lunatic, of Whitley county.

By Mr. Gardner, from the Committee on Education—

2. A bill to appoint commissioners to define the county line between the counties of Morgan and Menifee.



By Mr. J. W. Hays, from the Committee on the Judiciary—

3. A bill for the benefit of Menifee county.

By Mr. Marble, from the Joint Committee on the Revision of the Codes of Practice—

4. A bill regulating practice in criminal cases.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

5. A bill incorporating the Kentucky Agricultural Company.

By Mr. Tyler, from the Committee on the Judiciary—

6. A bill to amend, revise, and extend an act, entitled "An act to incorporate the city of Mayfield," approved March 25, 1873.

By Mr. Blackburn, from the Committee on Charitable Institutions—

7. A bill to amend an act, entitled "An act to incorporate the Cleveland Orphan Institution," approved March 17, 1870.

By Mr. Briggs, from the Committee on Claims—

8. A bill for the benefit of Joseph H. Davis, of Ballard county.

By Mr. Blackburn, from the Committee on Charitable Institutions—

9. A bill to amend the charter of the Kentucky Female Orphan School.

By Mr. Leslie, from the Committee on Courts of Justice—

10. A bill to repeal an act to regulate and make uniform the jurisdiction of police officers in the counties of Webster and Monroe, so far as the same applies to the county of Monroe.

By Mr. Lindsay, from the Committee on Religion and Morals—

11. A bill to prevent the sale of spirituous or intoxicating liquors within one mile of the town of Williamsburg, in Whitley county.

By Mr. Culbertson, from the Committee on Finance—

12. A bill for the benefit of M. M. Ellison, sheriff of Whitley county.

By Mr. Culbertson, from the Committee on Agriculture and Manufactures—

13. A bill declaring the Cumberland river and tributaries above the falls navigable streams.

By Mr. Edwards, from the Committee on Propositions and Grievances—

14. A bill incorporating the town of Rocky Hill, Edmonson county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

15. A bill for the benefit of the deputy clerk of the Magoffin county court.



Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 1st be recommitted to the Committee on Finance; the 4th be made the special order for Monday, the 28th inst., and the others were severally ordered to be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to prevent trespass in certain counties of this Commonwealth;

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto;

An act for the benefit of the Building and Loan Association of Carrollton;

And bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the devisees of Joseph Brown;

An act for the benefit of keepers of ferries in Campbell county;

An act incorporating the Fourth Presbyterian Church of Louisville;

An act for the benefit of Lewis county;

An act to change the county line between the counties of Knox and Bell;

An act releasing the stock of the State of Kentucky in the turnpike road leading from the mouth of Salt river to Elizabethtown, in Hardin county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

SATURDAY, FEBRUARY 26, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act making special appropriation to the First Kentucky Lunatic Asylum.

An act appropriating money to the Central Kentucky Lunatic Asylum.

That they had concurred in the adoption of amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Fanny Carr.

An act to incorporate the Green River Iron and Coal Company.

That they had passed bills of the following titles, viz :

1. An act to repeal the local option law in the Palmer precinct, in Anderson county.

2. An act authorizing the county court of Pulaski county to sell ground and purchase a new site for a jail.

3. An act for the benefit of John H. McHargue.

4. An act for the benefit of S. M. Machen, of Lyon county.

5. An act to amend an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district," approved February 23, 1876.

6. An act to empower the trustee of the jury fund of Henderson county to restore to the city of Henderson, out of any funds coming to his hands as trustee, certain moneys due to said city.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Religion and Morals ; the 2d and 3d to the Committee on Courts of Justice ; the 4th to the Committee on General Statutes and Codes of Practice ; the 6th to the Committee on Finance, and the 5th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

On motion of Mr. J. W. Hays, leave of absence, indefinitely, was granted Mr. Gardner; and, on motion of Mr. Cunningham, leave of absence, indefinitely, was granted Messrs. J. W. Hays and Ewing.

The following petitions were presented, viz :

By Mr. Gardner—

Petition of sundry citizens of Magoffin county, asking the passage of an act giving John M. Power the further time to collect and pay into the Treasury the revenue due from Magoffin county for the year 1875.

Petition of presiding judge and justices of Breathitt county, praying for the reduction of the price of land warrants.

Which were received, the reading dispensed with, and referred to the Committee on Courts of Justice.

Mr. Simmons read and laid on the table the following resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the Attorney General be, and he is hereby, directed to defend any suit which may be brought in the Franklin circuit court by Richard H. Collins against the State of Kentucky. It shall be the duty of the Attorney General to attend the taking of all depositions in said case, and notice to take depositions on the part of plaintiff shall be served on the Attorney General. If the Attorney General shall be required to attend the taking of depositions beyond the limits of the county of Franklin, he shall be allowed and paid five dollars per day for each day he may be so engaged and his traveling expenses, all of which shall be paid by the Treasurer upon the warrant of the Auditor, who is hereby authorized to draw his warrant on the Treasurer, when the Attorney General shall file a written statement with the Auditor, signed by himself, showing the number of days he has been engaged in taking depositions, in said case, and the amount of his traveling expenses.

Which, under the rule, lies one day on the table.

Leave was given to bring in the following bills, viz :

On motion of Mr. Walton—

1. A bill for the benefit of F. A. Smith, late sheriff of Hart county.

On motion of Mr. Brown—

2. A bill to prohibit the sale of ardent spirits within two miles of Watkinsville, in Franklin county.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the 1st, and the Committee on Religion and Morals the 2d.

Mr. Turner moved the following resolution, viz :

*Resolved*, That hereafter the time of meeting and adjournment of the Senate, during the remainder of the present session, shall be as follows :



The Senate will meet at 9½ o'clock, A. M., and adjourn at 2 o'clock, P. M., and will meet again at 7½ o'clock, P. M., and adjourn at 9½ o'clock, P. M., except that there shall be no night session on Saturday.

Which was adopted.

Mr. Tyler moved the following resolution, viz :

WHEREAS, By the resolution providing for night sessions, each member is privileged to call up any two bills he may desire, whenever his district is called ; therefore be it,

*Resolved by the Senate of the Commonwealth of Kentucky*, That after this day the committees shall be regularly called for the report of general bills only, as also the orders of the day ; and that hereafter no local bill shall be considered during the day session, nor shall there be any special orders made.

Which was rejected.

Mr. Varnon, from the Committee on Privileges and Elections, to whom was referred a bill from the House of Representatives, entitled

An act to guard against the abuses of the elective franchise by requiring registration of votes in the city of Louisville,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the county court of Jefferson county shall, between the first and fifteenth day of June in each year, appoint three sober and discreet citizens in each election precinct of the city of Louisville, two to act as judges of registration and one as clerk of registration in the precincts for which they are appointed. No person shall be eligible as such judge or clerk who is not a voter in the precinct for which he is appointed and a housekeeper, and when there are two distinct political parties said officers of registration shall be so selected as that one of the judges at each precinct shall be of one political party and the other of the opposing political party. They shall serve for one year from the time of their appointment, and each officer of registration, before entering upon the discharge of his duties, shall take the oath prescribed by the constitution before some justice of the peace or other person authorized to administer an oath. Each officer of registration shall be excused from all jury duty during his term of service as an officer of registration.

§ 2. The sheriff shall, at least five days before the first registration in each year, as provided for in this act, give each officer of registration written notice of his appointment ; and any person failing to act after having been so appointed and notified shall be fined by the county court not less than two nor more than ten dollars ; provided that the court may for cause excuse any officer from service at any time before any registration, and may thereupon appoint another of like qualifications to fill his place. Should the court fail to appoint, or should all the officers appointed fail to attend at the place of registration for one hour after the time for commencing the registration, or refuse to act, then the sheriff of the county shall appoint officers to act in their stead for that registration ; but should one or two officers be in attendance he or they may fill



vacancies for the purpose of conducting that registration, and may administer the necessary oaths of office.

§ 3. The officers of registration shall have the same power to preserve order at the place of registration as is exercised by the officers of election at the polls; a reasonable number of bystanders shall be allowed to be present and observe the registration, for the purpose of challenging, and in such manner as not to obstruct the business of registration.

§ 4. It shall be the duty of the county clerk of Jefferson county to prepare the proper forms and cause to be printed two registration books for each precinct in the city of Louisville, one of which shall be kept in his office to be used as provided in section 7 of this act, and the other furnished to the clerks of registration and election before each registration or election day as hereinafter provided.

§ 5. The officers of registration shall attend at the voting-places of their respective precincts on the first Monday in July in each year and on the Tuesday following, from the hours of seven in the morning until six in the evening, and shall record in the registration book, which shall be furnished by the clerk of the county court to each registration clerk, a list of the qualified voters of the precinct: *Provided*, That if said first Monday in July falls upon the 4th, then the registration shall be held upon the 5th and 6th days of July. Said list shall be in alphabetical order, and shall show the name of the person registered, the name of the street and number of the house, lodging, or tenement in which he lives, and whether he be white or colored; and if said house, lodging, or tenement be not numbered, the location thereof shall be described on the registration book as accurately as may be, giving the street and between what streets. Every person shall be entitled to be registered who would be entitled to vote at the next ensuing August election; that is to say, every male citizens who on that day shall have attained the age of twenty-one years, and shall have resided in the State two years, or in the city one year, and in the precinct sixty days. No person shall be registered who does not personally appear before the officers of registration; and if he be not personally known to one of the officers, or if any bystander shall require it, he shall be sworn by one of the officers and interrogated by him or by such bystander touching his qualifications as a voter, as provided in this section. Opposite to the name of each person so sworn the clerk shall write the word "sworn," which entry shall be *prima facie* evidence of such swearing in any prosecution under this act.

§ 6. In making the registration the clerk shall act as the recording officer, and the judges shall decide all questions relating to the qualifications of persons offering to be registered, except that in case of a difference of opinion between the judges the clerk shall have the casting vote. It shall be the duty of the clerk to number consecutively the names recorded under each letter of the alphabet as they are taken down, and at the close of the registration he shall sign his name after the last name recorded under each letter as aforesaid, in such mannert hat no more names can be recorded above his, and shall foot up and certify in the back of the registration book the whole number of names recorded at that precinct, and this certificate shall be signed by all the officers of registration before leaving the place of registration.

§ 7. On the day following the registration the clerk shall deliver the registration book into the hands of the clerk of the county court or one of his deputies, and shall take his receipt therefor. It shall be the duty of said county clerk to keep said books safely in his office, and not to suffer the same to be taken therefrom except as provided in this act. He shall

also cause to be made one copy of each registration book in the blank book retained by him as provided in section 4, which shall be kept in his office and not taken therefrom for any purpose; and he shall be paid for each copy so made in the ratio of one cent for the name of each voter on the registration book. In case of loss of any original registration a copy shall be made by the county clerk from the copy retained in his office, which copy shall be used in registrations and elections with the same effect as the original.

§ 8. On the Tuesday next after the first Monday in October, 1876, and on the same day in every second year thereafter, there shall be a registration of persons entitled to vote for electors for President and Vice President and for members of Congress. On the first Wednesday in November in each year there shall be a registration of persons entitled to vote at the ensuing municipal election; and on the first Saturday in April, 1877, and every second year thereafter, there shall be a registration of persons entitled to vote at the ensuing election of magistrates and constables; and prior to any registration hereinbefore directed to be held, the county clerk shall give notice of the day thereof by two insertions in two newspapers published in the city of Louisville, one in the English and one in the German tongue, and having a larger circulation than any paper published in Louisville in their respective tongues. When by virtue of any future act of the Legislature, or of any proclamation or writ of election issued under existing laws, an election is ordered for any day other than one of the days mentioned in this and the preceding section, at which a vote is to be taken in the city of Louisville, it shall be the duty of the sheriff of Jefferson county to fix a day for the registration of voters at such election not more than ten days prior to such election, and to publish notice of such day as a part of his notice of the election; and where, by virtue of the city charter or any special law, an election or vote is ordered to be held or taken in the city of Louisville at any other time than one of the days mentioned in this or the preceding section, then the council or other body or person so ordering said election or vote shall at the same time fix a day for registration not more than ten days prior to such election or vote, which shall be published in like manner as the time and place of said election or vote are required by law to be published. On the day prior to each registration provided for in this section the county clerk shall deliver to the clerk of registration the registration book for his precinct, and on the day of such registration the registration officers shall attend at their several places of registration, as provided in section 5 of this act, and shall register the names of all persons entitled to vote at the election for which the registration is ordered whose names are not already on the registration books for that year. The names shall be recorded immediately following the names recorded at the previous registration, and said registration shall be conducted and the registration books returned as provided in sections 5, 6, and 7 of this act. Any person who has removed from a precinct in which he was registered since he has so registered may apply to the officers of registration and have his name stricken off by writing opposite it the word "removed," and thereupon the person so removing shall be entitled to apply for registration in the precinct to which he removes; provided he possesses the qualifications required by section 5 of this act.

§ 9. Officers of registration shall receive for their services two dollars each for each day's service in holding registrations, and said sum, together with the costs of printing registration books and of advertisements, shall be paid by the city upon the certificate of the county clerk.



§ 10. Any person refused registration may require one of the officers of registration to furnish him a certificate of this effect: "This is to certify that, ——— applied for registration at ——— precinct, in ——— ward, and was refused. Signed, ———," judge or clerk of registration; and may at any time before the election for which the registration is held present said certificate to the county court, and apply for registration. It shall thereupon be the duty of the court to hear his application in a summary manner; and if the court shall be of opinion that he was entitled to registration, it shall order the clerk of the court to record his name on the registration book in like manner as it should have been recorded by the clerk of registration. Any attorney of the court present may resist said application; and if no attorney offers to do so, the court shall appoint an attorney, who shall interrogate the applicant or his witness; provided that neither party may call more than two witnesses.

§ 11. Any voter in any precinct may, by giving one day's notice to any person whose name has been registered, move the county court to strike his name from the register, and both parties may introduce witnesses, not exceeding two on each side. Any voter may in like manner move the court, without notice, to strike a name from the register on the ground that such name is fictitious, and may call two witnesses in support of his motion; and in either case the court may, if it see proper, direct the clerk to strike such name from the register by writing opposite to it, "Stricken off by order of the county court. ———, Clerk."

§ 12. On the Saturday previous to the first Monday in August, 1876, and on the juridical day previous to every election to be held, or vote of the people taken thereafter in the city of Louisville, the clerk of the county court shall deliver to the clerks of election the registration books for their several precincts, together with the poll-books required by law to be furnished, which said registration and poll-books shall be produced by said clerks at their several precincts when the polls are opened on the day of the election. At said election to be held in August, 1876, and at elections or votes of the people thereafter to be held or taken in the city of Louisville, no vote shall be received unless the name of the person offering to vote is on the registry provided in this act; and no person whose name is on said registry shall be challenged except upon the ground that he has become disqualified since the registration. Any vote received by the officers of election in contravention of this section shall be void, and shall be rejected from the count in any lawful inquiry into the result of said election. The officers of election shall mark opposite the name of each person voting, in a column to be provided for that purpose, the word "voted."

§ 13. Any person who shall cause himself to be registered in more than one election precinct otherwise than is provided in section 8 of this act, or more than once in the same precinct, or who shall cause himself to be registered knowing that he is not lawfully entitled to registration, and any person who shall aid and abet in the commission of any of said acts, shall be deemed guilty of a misdemeanor, and shall be imprisoned in the county jail not less than two nor more than twelve months.

§ 14. Any officer of registration or other person who shall unlawfully alter any registration book, or add any name thereto, or who shall willfully secrete, suppress, or destroy any such book, or who shall make or aid in making any false or fraudulent registration book, shall be deemed guilty of felony, and shall be confined in the penitentiary not less than one nor more than five years, shall forfeit any office he then holds, and shall forever be disqualified from holding office.

§ 15. Any person who shall willfully make any false statement under an oath duly administered at a registration under this act shall be deemed guilty of perjury, and confined in the penitentiary not less than one nor more than five years.

§ 16. Any person who by himself or in aid of others shall forcibly break up or attempt to break up a registration, or shall forcibly prevent or attempt to prevent any person from approaching or entering the registration room, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned not less than six nor more than twelve months, or both.

§ 17. No witness shall be excused from testifying before the grand jury, or in any prosecution or indictment under this act, on the ground that his testimony may criminate himself; but no such testimony shall be used against a witness in any prosecution except for perjury.

§ 18. A copy of this act shall be printed in each registration book made under its provisions.

§ 19. The provisions of this act shall only apply to the city of Louisville.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	Thos. W. Varnon,
W. W. Culbertson,	John Hyden,	W. L. Vories,
W. A. Cunningham,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—29.
H. F. Finley,	P. A. Lyon,	

Those who voted in the negative were—

S. H. Jenkins, H. A. Tyler—2.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of S. S. Johnson, late sheriff of Warren county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, By judgment of the Warren circuit court, rendered February, 1873, three persons were tried and condemned in said court for larceny, and on account of their tender age the judge of said court ordered them carried to the House of Reform, at Anchorage; and S. S. Johnson,



sheriff of Warren county, under said order, carried said three persons, and delivered same in said House of Reform; and said S. S. Johnson, sheriff of Warren county, expended in conveying said three persons to said House of Reform, one hundred and eighteen dollars and seventy-one cents, as shown by his and his guards accounts, which are assigned him, properly approved, and certified by the proper officers; and whereas, there is no law providing for the payment of said claim; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrent on the Treasurer for the sum of one hundred and eighteen dollars and seventy-one cents in favor of S. S. Johnson, late sheriff of Warren county; and that same be paid out of any money in the treasury not otherwise appropriated.

§ 2. This act to take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—25.
H. F. Finley,		

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Ewing, from the Committee on Finance—

A bill for the benefit of W. B. Roe's heirs and others, in Rowan county.

By Mr. Cleveland, from the Committee on Appropriations—

A bill to amend the charter of Berlin, approved March 15, 1869, in Bracken county.

By same—

A bill to authorize the mayor and council of the city of Augusta, Bracken county, to make a subscription to the Augusta and Berlin Turnpike Road Company.

By Mr. Berry, from the Committee on Propositions and Grievances—

A bill to amend an act, entitled "An act to amend the charter of the town of Hartford," approved March 2, 1867.

By Mr. Read, from the Committee on Education—

A bill for the benefit of school district No. 12, Robertson county.

By same—

A bill for the benefit of school district No. 30, Nicholas county.

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of D. N. Walden.

By Mr. R. G. Hays, from the Committee on Finance—

A bill for the benefit of James Dees, of Laurel county.

By Mr. Hodge, from the Committee on Railroads—

A bill to amend an act, entitled "An act to incorporate the Cairo and Tennessee River Railroad Company," approved March 10, 1873.

By Mr. Simmons, from the Committee on the Judiciary—

A bill to amend the charter of the Covington and Taylor Hill Turnpike Road Company.

By Mr. Simmons, from the Committee on Education—

A bill to authorize the people of the Staffordsburg precinct, in Kenton county, to vote on the question as to whether spirituous liquors shall be sold in said precinct.

By Mr. Barker, from the Committee on Internal Improvement—

A bill to incorporate the Mayfield and Wadesboro Gravel Road Company.

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill to authorize the clerk of the Montgomery circuit court to make a general cross-index.

By Mr. Tyler, from the Committee on Education—

A bill to incorporate the Henderson Female College, of Henderson.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to provide for making an index and cross-index to all causes heretofore pending in the Crittenden circuit court and in the Crittenden court of common pleas, and to all causes now pending in said courts.

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

A bill in relation to commissioner's sales in Nelson county.

By Mr. Harding, from the Committee on Religion and Morals—

A bill to incorporate the Sand Lick Baptist Church, of Monroe county.

By Mr. Read, from the Committee on Education—

A bill concerning the Kentucky High School.

By Mr. Blackburn, from the Committee on Charitable Institutions—

A bill for the benefit of H. S. Percival, sheriff of Kenton county.

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of Jas. D. Smith, committee of Rhoda Ray, an idiot, of Laurel county.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to amend an act to protect fish in Cumberland river above the falls.

By Mr. Cleveland, from the Committee on Appropriations—

A bill to amend the charter of the Augusta and Dover Turnpike Road Company, in Bracken county.

By Mr. Culbertson, from the Committee on Internal Improvement—

A bill for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to change the mode of punishment in cases of petit larceny.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named be printed and placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Lindsay, from the Committee on Religion and Morals—

1. An act to amend an act, entitled "An act to amend an act to

incorporate the Second Presbyterian Church of the city of Louisville."

By Mr. Berry, from the Committee on Propositions and Grievances—

2. An act to attach Rock House Bottom, in Cumberland county, to Russell county.

By Mr. Tyler, from the Committee on Courts of Justice—

3. An act to legalize acts of the McCracken county judge, and to authorize him to sell real property purchased by the court.

By Mr. Lindsay, from the Committee on Religion and Morals—

4. An act to incorporate the Baptist Centennial Theological College, of Knox county.

By Mr. Cunningham, from the Committee on Courts of Justice—

5. An act to incorporate the Salem Gemeinde, of Newport, Kentucky.

By Mr. Leslie, from the Committee on Courts of Justice—

6. An act to confer additional powers upon the county court of Barren county.

By Mr. Varnon, from the Committee on Privileges and Elections—

7. An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville."

By Mr. Lindsay, from the Committee on Claims—

8. An act for the benefit of M. J. Miller, committee for Lucinda Miller, pauper idiot, of Rockcastle county.

By Mr. Barker, from the Committee on Internal Improvement—

9. An act to incorporate the Mouth of Tate's Creek Turnpike Road Company.

By Mr. J. W. Hays, from the Committee on the Judiciary—

10. An act for the benefit of the Louisville Water-works.

By Mr. Tyler, from the Committee on the Judiciary—

11. An act to increase the jurisdiction of the police judge of Moscow, Hickman county, in civil cases.

By Mr. Tyler, from the Committee on Courts of Justice—

12. An act to amend an act to incorporate the town of Greenville, and give concurrent jurisdiction with police judge to county judge and justices of the peace.

By Mr. Cunningham, from the Committee on Courts of Justice—

13. An act to authorize McCracken county to levy a tax for county purposes.



By Mr. Briggs, from the Committee on Claims—

14. An act for the benefit of G. W. Whitesides, for taking care of pauper lunatic.

By Mr. R. G. Hays, from the Committee on Finance—

15. An act for the benefit of Seymour H. Perkins, clerk of the Todd county court.

By Mr. Tyler, from the Committee on Courts of Justice—

16. An act to increase the number, and fix the time and place of holding, the county courts in Warren county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

17. An act to amend the several acts in relation to the town of Winchester.

By Mr. Cunningham, from the Committee on Courts of Justice—

18. An act for the benefit of Clinton and Cumberland counties.

By Mr. Wright, from the Committee on Finance—

19. An act for the benefit of Richard Hackley, elisor of the Garrard circuit court.

By Mr. Varnon, from the Committee on Privileges and Elections—

20. An act to amend an act to incorporate the Danville, Lancaster and Nicholasville Turnpike Road Company.

By Mr. Hodge, from the Committee on Railroads—

21. An act to amend an act, entitled "An act to amend the charter of the Glasgow Railroad Company," approved 20th March, 1872.

By Mr. Cunningham, from the Committee on Courts of Justice—

22. An act to amend an act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county, approved March 16, 1869.

By Mr. Culbertson, from the Committee on Internal Improvement—

23. An act to amend an act, entitled "An act to incorporate the New Castle and Carrollton Turnpike Road Company."

By Mr. Cunningham, from the Committee on Courts of Justice—

24. An act to empower the county court of Henry county to levy an ad valorem tax of fifteen cents on the one hundred dollars for county purposes.

By same—

25. An act to enable the people of Jessamine county to vote a tax on themselves to build a new court-house in said county.

By Mr. Barbour, from the Committee on Banks and Insurance—

26. An act to incorporate the Bank of Woodford, at Versailles, Kentucky.

By Mr. Leslie, from the Committee on Claims—

27. An act for the benefit of Charles Breedin, of Gallatin county.

By Mr. Lindsay, from the Committee on Religion and Morals—

28. An act to incorporate the Baptist Church of New Liberty, Owen county.

By Mr. Walton, from the Committee on Claims—

29. An act for the benefit of C. W. Hull, deputy jailer of Kenton county.

By Mr. Garnett, from the Committee on the Judiciary—

30. An act to incorporate the town of Cherry Hill, in Trigg county.

By Mr. Barker, from the Committee on the Judiciary—

31. An act to amend an act establishing a new charter for the city of Louisville, approved March 3, 1870.

By Mr. Read, from the Committee on Education—

32. An act for the benefit of common school district No. 35, Rockcastle county.

By Mr. Berry, from the Committee on Propositions and Grievances—

33. An act to declare Cane creek, in Breathitt county, a navigable stream from its mouth to the mouth of Seward's branch.

By Mr. Lindsay, from the Committee on Religion and Morals—

34. An act to amend an act incorporating the Odd Fellows' Mutual Life Insurance Association, of Louisville, Kentucky.

By Mr. Briggs, from the Committee on Claims—

35. An act for the benefit of Garfield McCormack, of Lawrence county.

By same—

36. An act for the benefit of James McGuire, of Russell county.

By Mr. Ewing, from the Committee on Finance—

37. An act for the benefit of Jno. E. Abbott, sheriff of Hart county, and to authorize the Auditor to settle with him, and credit him by certain sums on certain judgments.

By Mr. Lindsay, from the Committee on Claims—

38. An act for the benefit of Daniel McCullom, jr., appropriating him \$233 33.

By Mr. Barker, from the Committee on Internal Improvement—

39. An act to incorporate the Forest Retreat and Panther Creek Turnpike Road Company, in Nicholas county.

With amendments to the last four named bills.

Which were adopted.

*Ordered*, That the 10th of said bills be committed to the Committee on General Statutes and Codes of Practice, and the others, the last four as amended, be severally read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid, except that of the 38th, which is amended by striking out the words "two hundred and thirty-three dollars and thirty-three cents," and inserting in lieu thereof the words "eighty-seven dollars and fifty cents."

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act releasing the stock of the State of Kentucky in the turn-pike road leading from the mouth of Salt river to Elizabethtown, in Hardin county.

An act to change the county line between the counties of Knox and Bell.

An act for the benefit of the devisees of Joseph Brown.

An act for the benefit of keepers of ferries in Campbell county.

An act incorporating the Fourth Presbyterian Church of Louisville.

An act to authorize Logan county court to borrow money.

An act to authorize the sale of stock owned by the Logan county court in the Louisville and Nashville Railroad Company.

Resolution providing for an extension of the present session of the General Assembly beyond the constitutional limit of sixty days.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act for the benefit of B. R. Nall and other securities of Joseph Gore, late sheriff of Larue county.

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act increasing the jurisdiction of the quarterly courts and justices in Christian and other counties.

The question was first taken on concurring in the adoption of the first amendment proposed by the House of Representatives, and it was decided in the negative.

The question was then taken on concurring in the adoption of the third amendment proposed by the House of Representatives, and it was decided in the negative.

Mr. Turner then moved to amend the second amendment proposed by the House of Representatives, by striking therefrom the counties of Crittenden, Caldwell, Grayson, Magoffin, Morgan, Breathitt, Spencer, and Montgomery, and adding thereto the counties of Madison, Nelson, Shelby, Larue, Warren, Allen, Boyle, Garrard, Casey, Woodford, Scott, and Jessamine.

Which was adopted.

The question was then taken on concurring in the adoption of the second amendment proposed by the House of Representatives, as amended, and it was decided in the affirmative.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton;

An act to legalize the proceedings of the Washington county court in regard to the sheriff's bond;

Resolution providing for the appointment of a commission to investigate a claim of S. L. Chevis, of Lexington;

Resolution in relation to binding the addresses delivered on the death of General John C. Breckinridge;

And bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Clinton and Cumberland counties;

An act to incorporate the People's Gas-light Company, of Lexington;

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of Wm. F. Peak, of Trimble county;

An act to incorporate the Mount Sterling Female College;

An act to incorporate the Williamstown Deposit Bank;

An act to prohibit the sale of spirituous, malt, or vinous liquors in Glasgow, or within one mile from the outside boundary thereof;

An act in aid of common school district No. 29, Marshall county;

An act to prevent the sale of spirituous, malt, or vinous liquors within one mile of the court-house in the town of Columbia, Adair county;



An act to prohibit the sale of spirituous liquors in the town of Monticello, Wayne county, and within five miles of said town;

An act for the benefit of H. M. Alexander, sheriff of Cumberland county;

An act for the benefit of Fletcher Chelf, of Marion county;

An act to incorporate the Odd Fellows' Orphanage and Home, of Louisville, Kentucky;

An act for the benefit of Fanny Carr;

An act to incorporate the Students' Association of Georgetown College;

An act defining the duty of the sheriff and other officers executing an original process in Kenton county;

An act to repeal an act, entitled "An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties;"

An act to incorporate Kentucky College;

An act to attach Rock House Bottom, in Cumberland county, to Russell county;

An act to authorize the city of Covington to erect a bridge over the Ohio river;

Resolution appropriating money to W. H. Gillis;

Resolution to print report of the commissioners of the Kentucky Institution for the Deaf and Dumb;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned.

## MONDAY, FEBRUARY 28, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of C. K. Cluke.

An act to incorporate the Walnut Bend Fence Company, in Henderson and Union counties.

An act to authorize Graves county court of claims to issue bonds, and to create sinking fund to liquidate the same.

An act to improve the navigation of the South Fork of the Kentucky river in Clay county, on the narrows of said river.

An act for the benefit of the tax-payers of Hardin county.

An act to allow the voters of Marshall county to vote on the question of removing the county seat of Marshall county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the sheriff of Rowan county.

An act to amend an act, entitled "An act to incorporate the Cleveland Orphan Institution," approved March 17th, 1870.

That they had passed bills of the following titles, viz :

1. An act to incorporate the State Bank in Louisville.

2. An act to regulate the pay of witnesses in criminal cases.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Banks and Insurance, and the 2d to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz :

On motion of Mr. Brown—

1. A bill to extend the Kentucky State Prison, and to erect a new cell-house for the benefit of the convicts therein.

On motion of Mr. Berry—

2. A bill to investigate the lease to the Green River Navigation Company.

On motion of Mr. Simmons—

3. A bill to incorporate the Campbell and Kenton Fair Company.

On motion of same—

4. A bill to incorporate the Licking Bridge and Junction Turnpike Road Company.

On motion of Mr. Harding—

5. A bill for the benefit of the sheriff of Robertson county.

On motion of same—

6. A bill for the benefit of Nolan & Zooler, publishers of the Robertson County Tribune.

*Ordered*, That the Committee on Penitentiary and House of Reform prepare and bring in the 1st; the Committee on Internal Improvement the 2d; the Committee on the Judiciary the 3d and 4th, and the Committee on Courts of Justice the 5th and 6th.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Barker, from the Committee on Internal Improvement—

1. A bill to incorporate the Worthington and Anchorage Turnpike Road Company.

By Mr. Tyler, from the Committee on the Judiciary—

2. A bill to amend the charter of the town of Hickman.

By Mr. Barker, from the Committee on the Judiciary—

3. A bill to amend section 1, chapter 4, General Statutes.

By Mr. Lindsay, from the Committee on Religion and Morals—

4. A bill supplemental to an act, entitled "An act to incorporate the Southern Baptist Theological Seminary," approved February 15, 1876.

By Mr. Harding, from the Committee on Religion and Morals—

5. A bill to prohibit the sale of ardent, vinous, malt, or spirituous liquors in the town of Berryville, Harrison county, in quantities less than a barrel.

By Mr. Brown, from the Committee on Internal Improvement—

6. A bill to incorporate the Lockport and Bethlehem Turnpike or Gravel Road Company.

By Mr. Barbour, from the Committee on Banks and Insurance—

7. A bill for the benefit of the Building and Loan Associations of the city of Lexington.

By same—

8. A bill to amend an act, entitled "An act for the incorporation

and regulation of Life Insurance Companies," approved March 12, 1870.

By Mr. Vories, from the Committee on Banks and Insurance—

9. A bill to repeal an act, entitled "An act to authorize Life Insurance Companies to make special deposits as securities in the Insurance Department."

By same—

10. A bill to protect sheep and dogs in the counties of Ballard, Henry, and other counties.

By Mr. Turner, from a Select Committee—

11. A bill for the propagation and protection of food-fishes in the waters of the State of Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 3d, 7th, and 10th be placed in the orders of the day; the 11th be printed and placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Read, from the Committee on Education—

An act to amend the charter of the South Carrollton Academy, Muhlenburg county.

By same—

An act for the benefit of school district No. 42, Muhlenburg county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to amend an act, entitled "An act to amend an act to incorporate the Louisville Orphans' Home Society."

By Mr. Garnett, from the Committee on the Judiciary—

An act to incorporate the town of Shiloh, in Calloway county.

By Mr. Pendleton, from the Committee on Finance—

An act for the benefit of John T. Price, sheriff of Logan county.



By Mr. Walton, from the Committee on Claims—

An act for the benefit of W. D. Rucker, of Green county.

By same—

An act for the benefit of James A. Howell, committee for James Shoemaker, an adjudged pauper idiot.

By Mr. Simmons, from the Committee on the Judiciary—

An act repealing third section of an act, entitled "An act repealing an act creating the office of town marshal of Independence, in Kenton county, and concerning the police laws of said town.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to incorporate the Glasgow Grangers' Mutual Benefit Society.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act for the benefit of the Lawrenceburg and Shyrock's Turnpike Road Company.

By Mr. Leslie, from the Committee on Claims—

An act for the benefit of T. C. Gillenwaters, committee for Sarah T. Morrison, a pauper idiot, of Barren county.

By Mr. Barker, from the Committee on the Judiciary—

An act to amend the charter of the town of Rockport, Ohio county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to change the time of holding the county and quarterly courts for Lincoln county.

By same—

An act for the benefit of George W. Sweeny, late sheriff of Casey county.

By Mr. Brown, from the Committee on Internal Improvement—

An act to incorporate the Demossville Turnpike Company.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to amend the charter of the Louisville Banking Company, of the city of Louisville."

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to amend the charter of the town of Campbellsville.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The following remonstrance was presented, viz :

By Mr. Jenkins—

Remonstrance of sundry citizens of the town of Hazelgreen, in Wolfe county, against the passage of an act amending the charter of said town.

Which was received, the reading dispensed with, and referred to the Committee on the Judiciary.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to legalize the proceedings of the Washington county court in regard to the sheriff's bond.

An act to add Robertson county to the criminal court known as the criminal court for the counties of Kenton, Campbell, Harrison, Bracken, and Pendleton.

Resolution in relation to binding the addresses delivered on the death of General John C. Breckinridge.

Resolution providing for the appointment of a commission to investigate a claim of S. L. Chevis, of Lexington.

Mr. Barker read and laid on the table the following resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when the present General Assembly shall adjourn on Tuesday, the 7th day of March, 1876, it shall be an adjournment *sine die*.

Which, under the rule, lies one day on the table.

Mr. Cunningham moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to authorize the clerk of the Montgomery circuit court to make a general cross-index.

Which motion was simply entered.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act to reduce into one all the acts relating to the city of Owensboro.

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration

A bill to regulate the duties and office of inspector of oils and fluids, the product of coal, petroleum, and other bituminous substances.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate Union Benevolent Association, of Versailles, Kentucky,

Reported the same without amendment.

Mr. Finley moved an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration

A bill for the benefit of Hugh Mulholland.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Barbour, from the Committee on Banks and Insurance, to whom was referred a leave to bring in

A bill to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870,

Asked to be discharged from the further consideration of the leave.

And the question being taken thereon, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Wright, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Culbertson,      D. H. Lindsay,      W. L. Vories—3.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
Wm. J. Berry,	B. W. S. Huffaker,	J. H. Stanley,

James Blackburn,	John Hyden,	E. W. Turner,
Robert A. Briggs,	S. H. Jenkins,	H. A. Tyler,
Scott Brown,	J. R. Leslie,	Thos. W. Varnon,
F. L. Cleveland,	P. A. Lyon,	C. J. Walton,
W. A. Cunningham,	Sumner Marble,	George Wright—25.
H. F. Finley,		

*Ordered*, That said leave be referred to the Committee on the Judiciary.

Mr. Cleveland moved that said committee be directed to report, by bill or otherwise, on Thursday next, March 2, at 10½ o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	B. W. S. Huffaker,	J. H. Stanley,
Thos. J. Barker,	P. A. Lyon,	H. A. Tyler,
Wm. J. Berry,	Sumner Marble,	Thos. W. Varnon,
Robert A. Briggs,	C. N. Pendleton,	C. J. Walton,
F. L. Cleveland,	Robert Simmons,	George Wright—16.
H. F. Finley,		

Those who voted in the negative, were—

James Blackburn,	Duncan Harding,	D. H. Lindsay,
Scott Brown,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories—14.
James B. Garnett,	J. R. Leslie,	

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was referred a leave to bring in

A bill for the benefit of D. F. Smith, of Warren county,

Asked to be discharged from the further consideration of the leave.

And the question being taken thereon, it was decided in the negative.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act supplemental to an act, entitled "An act to incorporate the Southern Baptist Theological Seminary," approved February 15, 1876.

An act to reduce into one all the acts relating to the city of Owensboro.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill for the benefit of Jane Thompson.



Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, The Governor of this Commonwealth remitted \$125 of a judgment for \$250 on a forfeited bail bond in the Boyd circuit court, against Benjamin Bornheim, surety for Joseph Thompson; but on account of the delay in the transmission of the remitter, the money was paid to the trustee of the jury fund, and accounted for by him. The money to make the payment was furnished Bornheim by Jane Thompson, a widow, and the mother of said Joseph Thompson; and whereas, there are doubts as to the authority to refund the money without special authority of law; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant on the Treasury for the sum of one hundred and twenty-five dollars in favor of Jane Thompson, payable out of any money not otherwise appropriated.

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—27.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill regulating practice in civil cases.

Mr. Read moved to amend said bill in section 154 by striking out all after the word "obtained," in the fourth line of said section.

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	Thos. W. Varnon,
F. L. Cleveland,	J. R. Leslie,	C. J. Walton,
W. W. Culbertson,	D. H. Lindsay,	George Wright—26.
W. A. Cunningham,	P. A. Lyon,	

Those who voted in the negative, were—

S. H. Jenkins,	H. A. Tyler,	W. L. Vories—4.
Robert Simmons,		

Said bill reads as follows, viz :

[*For bill, see Codes of Practice adopted at present session.*]

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration

A bill regulating practice in criminal cases.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

[*For bill, see Codes of Practice adopted at present session* ]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	R. G. Hays,	E. W. Turner,
James Blackburn,	B. W. S. Huffaker,	H. A. Tyler,
Robert A. Briggs,	John Hyden,	Thos. W. Varnon,
Scott Brown,	J. R. Leslie,	W. L. Vories,
F. L. Cleveland,	D. H. Lindsay,	C. J. Walton,
W. W. Culbertson,	P. A. Lyon,	George Wright—26.
W. A. Cunningham,	Sumner Marble,	

Those who voted in the negative, were—

H. F. Finley, Joseph B. Read, Robert Simmons—4.  
S. H. Jenkins,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Barbour, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the Farmers' Deposit Bank of Cynthiana.

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky* That there is hereby established a bank of deposit in Cynthiana, Harrison county, Kentucky, with a capital of fifty thousand dollars, in shares of fifty dollars each, which may be by the board of directors increased to one hundred thousand dollars, to be subscribed and paid for as hereinafter specified; and the subscribers, their associates, successors, and assigns, shall be a body-politic and corporate, by the name and style of the Farmers' Deposit Bank of Cynthiana, and shall so continue for a term of twenty years from the passage of this act; and shall be capable of contracting and being contracted with, of suing and being sued, of impleading and being impleaded, of answering and defending, in all courts and places whatever; it may have a common seal, and change and renew the same at pleasure.

§ 2. Said bank shall be under the control and direction of seven directors, each of whom shall be a stockholder in the same, and a resident of this State; and after the first election, the said directors shall be elected annually on the first Monday in January in each succeeding year, and shall hold office until their successors are elected and qualified. They shall elect one of their number president, and shall hold regular meetings at such times as may be fixed by the by-laws: *Provided*, That other meetings may be had at any time deemed necessary for the transaction of the business of the bank; and in the case of death or resignation of any director, the vacancy shall be filled by the board of directors; and the person so chosen by the said board shall hold office as a director until his successor shall be elected and qualified at the next annual election.

§ 3. The directors shall have power to receive subscriptions for as many of the shares of the stock of said bank remaining unsold as they may, at any time, choose to sell; to declare dividends of the profits arising out of the business, and to appoint such officers, agents, and servants as they may deem necessary to conduct the business of the bank, and pay them such wages and salaries, and take from them severally such bonds to secure the faithful performance of their duties, as they shall think proper and reasonable.

§ 4. The stock shall be deemed personal property, and shall be assignable according to such rules as the board of directors shall, from time to time, establish.

§ 5. T. J. Megibben, Noah S. Patterson, W. J. Lucas, N. B. Wilson, Samuel C. Rankin, John Lair, and M. D. Martin, are hereby appointed commissioners, any four of whom may open books and receive subscriptions for the capital stock: *Provided*, That public notice shall be given



by two successive insertions in one newspaper in the county, of the time and place when said books will be opened; and no individual shall subscribe for, or at any time hold, more than one hundred shares of said capital stock; and when four hundred shares have been subscribed, it shall be their duty to give notice in some newspaper published in Harrison county, Kentucky, and appoint a day for the election of a board of directors, who shall be qualified and hold their offices until their successors are elected at the ensuing annual election; and in all elections for directors of said bank, the stockholders shall be entitled to one vote for each share of the capital stock he or she may hold in the same. The payment for the shares subscribed shall be as follows: Two dollars on each share at the time of subscribing, and ten dollars within ten days after the election of the first board of directors, and the residue in installments of five dollars on each share every twenty days: *Provided*, That after fifteen thousand dollars shall have been paid in, or secured to be paid in, the board of directors shall have power to prolong the time for the payment of the residue; and should any of the subscribers fail to pay for their subscriptions of stock as herein provided, after giving notice of their intention in some newspaper published in the county for four weeks, the directors may, by resolution entered on their records, forfeit such stock, and resell the same at such time and place as they may deem expedient; and all partial payments made on any stock which shall be then forfeited, shall be held for the benefit of such defaulting stockholder, after deducting any unpaid calls.

§ 6. Said corporation may commence business so soon as fifteen thousand dollars shall have been paid in, and the president and directors first elected shall have made oath to the fact of such payment before some judge or justice of the peace.

§ 7. Said bank may receive deposits of gold and silver, bank notes, and other notes which may be lawfully circulating as money, and repay the same in such manner and at such time as may be agreed upon with the depositors, by special or general contract; may deal in the loaning of money, exchange, promissory notes, and other evidences of debt; take personal and other securities, except real estate, for the payment thereof, and dispose of the same as may be agreed upon at the time, in writing, in all respects as natural persons may do under the law.

§ 8. The said corporation may acquire, hold, possess, use, occupy, and enjoy all real estate, goods and chattels, as may be convenient for the transaction of its business, or which may be conveyed to it as surety for any debt, or purchased in satisfaction of any debt, judgment or decree, and sell and convey the same; and they may make such by-laws for their government as they may deem necessary: *Provided*, The same be not contrary to the constitution and laws of this State or of the United States.

§ 9. It shall not be lawful for said bank to issue any note or bill to be passed or used as currency.

§ 10. The General Assembly shall have the right to examine the affairs of said corporation by any committee they may appoint for that purpose.

§ 11. This act to take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Cleveland, were as follows, viz:



Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
James Blackburn,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	Thos. W. Varnon,
F. L. Cleveland,	P. A. Lyon,	W. L. Vories,
W. W. Culbertson,	Sumner Marble,	C. J. Walton—22.
W. A. Cunningham,		

Those who voted in the negative were—

Robert A. Briggs,	S. H. Jenkins,	George Wright—5.
H. F. Finley,	H. A. Tyler,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Salem Gemeinde, of Newport, Kentucky;

An act authorizing Ballard county court to levy an ad valorem tax;

An act to amend the charter of the Ford's Mill and Kentucky River Turnpike Road Company;

An act authorizing the Wayne county court to sell twenty thousand dollars of the bonds of the county for the purpose of building a court-house;

An act to regulate the times of holding the county court of Daviess county;

An act to incorporate Farmers and Traders' Bank of Lexington, Kentucky;

An act to amend an act, entitled "An act to incorporate the town of Butler, Pendleton county;"

An act to re-establish the common pleas court in the county of Union;

An act to incorporate the Farmers' Home Mutual Aid Association, of Fleming county;

An act to incorporate the Kentucky Oil, Pipe, Mining, and Transportation Company;

An act incorporating the St. Mary's, Raywick, and New Hope Turnpike Road Company;

An act for the benefit of M. J. Miller, committee for Lucinda Miller, pauper idiot, of Rockcastle county;

An act to increase the number, and fix the time and place of holding, the county courts in Warren county;

An act to authorize the trustees of the Methodist Episcopal Church, South, in Brandenburg, Meade county, to sell and convey certain church property for the benefit of said church;

An act to increase the jurisdiction of the police judge of Moscow, Hickman county, in civil cases;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to repeal ninth section of an act to amend the charter of the city of Bowling Green, approved 23d day of February, 1874.

An act to extend the town limits of the town of Morgantown, Butler county.

An act to amend an act, entitled "An act to amend an act reducing into one the several acts in relation to the town of Taylorsville.

An act to incorporate the Farmers and Traders' Bank.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Summit Station Turnpike Road Company, in Nicholas county.

2. An act to define the jurisdiction of the police judge of the town of Cromwell, Ohio county.

3. An act to authorize the county court of Webster county to issue bonds and to levy a tax to pay the same.

4. An act for the benefit of the town of Westport, in Oldham county.

5. An act to incorporate the Milton & Patton's Creek Railway Company.

6. An act to amend the charter of the Masonic Building Company of Falmouth, Kentucky.

7. An act to amend an act, approved March 14, 1871, entitled "An act to incorporate the Iron Works Turnpike Road Company."

8. An act authorizing the appointment of commissioners to ascertain and mark the line between the counties of Fayette and Scott.

9. An act legalizing a vote taken by the voters of Falmouth, in Pendleton county, on the 13th day of February, 1875, authorizing the board of trustees of said town guaranteeing the payment of interest on seventy-five thousand dollars bonds issued by the Covington, Flemingsburg, and Pound Gap Railroad Company.

10. An act to legalize certain acts of Boone county court.

11. An act to authorize the sale of the property in Barbourville, known as the Baptist Church and school property.

12. An act for the benefit of the Headquarters and Steele's Run Turnpike Road Company.

13. An act for the benefit of the clerks of the Union and Crittenden circuit courts.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 7th, and 12th to the Committee on Internal Improvement; the 2d, 3d, 10th, and 13th to the Committee on Courts of Justice; the 4th to the Committee on the Judiciary; the 5th to the Committee on Railroads; the 6th and 9th to the Committee on Appropriations; the 8th to the Committee on Propositions and Grievances, and the 11th to the Committee on Religion and Morals.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Varnon, from the Committee on Privileges and Elections—

1. An act to change the time of electing trustees, &c., of the town of Barbourville.

By Mr. Briggs, from the Committee on Claims—

2. An act for the benefit of George F. Green, of Bath county.

By Mr. Walton, from the Committee on Claims—

3. An act for the benefit of B. D. Nixon, jailer of Bath county.

By Mr. Barbour, from the Committee on Banks and Insurance—

4. An act to incorporate the Patrons' Co-operative Association, of Simpson county.

By Mr. R. G. Hays, from the Committee on Finance—

5. An act for the benefit of Elias Dorsey's estate.

By Mr. Blackburn, from the Committee on Charitable Institutions—

6. An act to amend an act, entitled "An act to incorporate the Minett Orphan Asylum of the city of Louisville," approved April 21, 1873.

By same—

7. An act to incorporate Gray Lodge of the Independent Sons of Honor.

By Mr. Leslie, from the Committee on Courts of Justice—

8. An act to legalize certain orders and proceedings of the Larue county court.

By Mr. Jenkins, from the Committee on Internal Improvement—

9. An act regulating the rates of tolls on the Paris and North Middleton Turnpike Roads.

By Mr. Tyler, from the Committee on Education—

10. An act to incorporate the Hocker College of Lexington, Kentucky.

By Mr. Goodloe, from the Committee on Railroads—

11. An act to amend an act, entitled "An act to incorporate the Mt. Sterling Coal Road Company."

By Mr. Read, from the Committee on Education—

12. An act for the benefit of colored common schools in Trimble county.

By Mr. R. G. Hays, from the Committee on Finance—

13. An act for the benefit of S. H. Cassidy, of Crittenden county.

By Mr. Simmons, from the Committee on Banks and Insurance—

14. An act to incorporate the Centennial Building and Savings Association, of Covington, Kentucky.

By Mr. Lindsay, from the Committee on Religion and Morals—

15. An act to authorize the voters of Mayfield to vote upon the question of prohibiting the sale of spirituous liquors, &c., in said city.

By Mr. Goodloe, from the Committee on Railroads—

16. An act to regulate elections for directors and other officers of private corporations.

By Mr. Tyler, from the Committee on Courts of Justice—

17. An act for the administration of J. L. Stubbs, late clerk of the Lyon county court.

With amendments to the last four named bills.

Which were adopted.



*Ordered*, That said bills, the last four as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cunningham moved to reconsider the vote by which the Senate had passed the 11th of said bills.

Which motion was simply entered.

On motion of Mr. Ewing, leave of absence, indefinitely, was granted Messrs. Garnett and Pendleton.

Mr. Wright, from the Committee on Finance, to whom was recommended

A bill to amend chapter 92 of the General Statutes, entitled "Revenue and Taxation"

Reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Many sheriffs in this Commonwealth have failed to execute bonds for the collection of the revenue of eighteen hundred and seventy-six within the time prescribed by law; and for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*; That each and every sheriff in this Commonwealth who has failed to execute his revenue bond for the collection of the State revenue for the year eighteen hundred and seventy-six (1876), on or before the first Monday in January last, as required by law, shall have, and they are hereby granted, further time, until the first Monday in May next, in which to execute said bond: *Provided*, That this section of this act shall not apply to such sheriffs as have executed bonds in pursuance to special acts passed for their benefit during the present session of the General Assembly.

§ 2. That any sheriff who shall hereafter fail to execute his revenue bond as required by law, shall be subject to a fine of not less than one hundred, and not more than one thousand dollars, for each offense, to be recovered by motion in the circuit court of his county, or any court of similar jurisdiction, after ten days' notice.

§ 3. The county attorney in each county is charged with the enforcement of the second section of this act; and he shall receive as compensation for his services ten per cent. of the amount recovered and paid; and should he fail to discharge the duties hereby imposed on him, he shall be subject to a fine of not less than twenty-five and not more than one hundred dollars, to be recovered in like manner on motion of the attorney for the Commonwealth for the judicial district in which said county attorney resides, who shall receive the same compensation as he is now allowed by law for similar services.

§ 4. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	B. W. S. Huffaker,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	George Wright—15.

Those who voted in the negative, were—

Thos. J. Barker,	John Hyden,	Robert Simmons,
Robert A. Briggs,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	P. A. Lyon,	C. J. Walton—12.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Briggs, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Samuel Cecil, of Clinton county,  
Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and is hereby, directed to draw his warrant upon the treasurer for the sum of one hundred and twenty-two dollars and twenty-one cents in favor of Samuel Cecil, committee of John Cecil, a pauper lunatic of Clinton county, for keeping said lunatic from the 5th day of March, 1873, to the 15th day of October, 1873.

§ 2. This act to take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	S. H. Jenkins,	W. L. Vories,
W. A. Cunningham,	J. R. Leslie,	C. J. Walton,

Andrew J. Ewing,  
H. F. Finley,

D. H. Lindsay,  
Sumner Marble,

George Wright—29.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barbour, from the Committee on Banks and Insurance—

A bill to incorporate the Ohio County Bank.

By Mr. R. G. Hays, from the Committee on Finance—

A bill to incorporate the Louisville Elevator and Warehouse Company.

By Mr. Goodloe, from the Committee on the Judiciary—

A bill to legalize the issue of certain bonds issued by the commissioner of a portion of Jamestown magisterial district, in Campbell county.

By same—

A bill to amend an act authorizing a portion of the Jamestown magisterial district, in Campbell county, to be taxed to purchase the Newport and Dayton Turnpike, and to bridge Taylor creek.

By Mr. Walton, from the Committee on Education—

A bill in aid of the colored common schools in Hart county.

By Mr. Cleveland, from the Committee on Appropriations—

A bill to incorporate the Three Forks of Grassy Creek, Knoxville, and Dry Ridge Turnpike Road Company, in Pendleton and Grant counties.

By Mr. Brown, from the Committee on Internal Improvement—

A bill to incorporate the Connection Turnpike Road Company, in Henry county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adopted a resolution, entitled

Resolution providing that resolution No. 36 shall take effect from the passage of this resolution.

Which was taken up, twice read, and concurred in, with an amendment thereto.

And then the Senate adjourned.

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TUESDAY, FEBRUARY 29, 1876.

A message was received from the House of Representatives, announcing that they had refused to concur in the adoption of a resolution, which originated in the Senate, entitled

Resolution requiring the president and directors of the Commercial Bank at Paducah to report the condition of said bank.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend the charters of the Midway and Elkhorn and Scott County and Elkhorn and Midway and Scott County Turnpike Road Companies.

An act to amend the charter of the Kentucky Female Orphan School.

An act to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways."

An act to incorporate the Green River Female Seminary.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Daniel McCullom, jr., appropriating him \$87 50.

An act to incorporate the Forest Retreat and Panther Creek Turnpike Road Company, in Nicholas county.

An act to amend the charter of the town of Campbellsville.

An act to incorporate Union Benevolent Association, of Versailles, Kentucky.



An act for the benefit of the administrator of J. L. Stubbs, late clerk of the Lyon county court.

An act to incorporate the Farmers' Deposit Bank of Cynthiana.

An act to regulate elections for directors and other officers of private corporations.

Resolution providing that resolution No. 36 shall take effect from the passage of this resolution.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Springfield and Bradfordsville Turnpike Road Company.

2. An act for the benefit of the sheriff of Warren county.

3. An act for the benefit of John B. Stevens, Joseph B. Bennett, and the personal representatives of Wm. Duke, Wm. Brown, and Titus Bennett.

4. An act for the benefit of common school district No. 22, Webster county.

5. An act for the benefit of the Bloomfield and Springfield Turnpike Road Company.

6. An act to charter the Barren River Bridge Company.

7. An act for the benefit of the assessor of Fulton county.

8. An act to authorize the Board of Council of Franklin, Kentucky, to issue bonds and provide for the payment of same.

9. An act to incorporate the Zoological Garden Association of Jefferson county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 5th to the Committee on Internal Improvement; the 2d and 7th to the Committee on Finance; the 3d to the Committee on Propositions and Grievances; the 4th and 9th to the Committee on Educations, the 6th to the Committee on Agriculture and Manufactures, and the 8th to the Committee on the Judiciary.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Barker, from the Committee on the General Statutes—

A bill for the benefit of A. C. Thomas and Simon Humphreys and others, of Nelson county.

By Mr. Brown, from the Committee on Internal Improvement—

A bill to incorporate the New Castle, Pleasureville, and Sweet Home Turnpike Road Company, in Henry county.

By Mr. Cleveland, from the Committee on Appropriations—

A bill in relation to the sale of spiritous, vinous, and malt liquors in the town of Foster, in Bracken county.

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of Stephen Gibson, late sheriff of Clay county, giving him the further time of six months in which to make out and return his delinquent list for the years 1872 and 1873.

By Mr. Blackburn, from the Committee on Charitable Institutions—

A bill to amend an act to incorporate the Newport Cemetery Company.

By same—

A bill for the benefit of D. F. Smith, of Warren county.

By Mr. Briggs, from the Committee on Claims—

A bill for the benefit of Alexander Deaton, former sheriff of Breathitt county.

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill to authorize the judge of the Lincoln county court to appoint a clerk of his court.

By same—

A bill for the benefit of married women.

By same—

A bill to amend the charter and extend the limits of the town of Pleasureville, in Henry county.

By same—

A bill legalizing the acts of the Robertson county court at its January term held on the third Monday in January, 1876, in taking sheriff's bond.

By same—

A bill for the benefit of Jordan Kidwell and Wm. Tiller, of Henry county.

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill for the benefit of Ambrose W. Dudley.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named bill be placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, February 29th, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice the following named persons as worthy to be commissioned as notaries public, to act in the limits herein set forth :

Charles J. Clarke, Jefferson county.  
John F. Stewart, Johnson county.  
James P. Braden, Christian county.  
J. P. Harrison, Kenton county.  
D. A. Glenn, Kenton county.  
Thomas N. Eastin, Jefferson, Shelby, Oldham, Spencer and Bullitt counties.  
Milton G. Cope, McCracken county.  
W. W. Moore, Carter county.  
H. E. G. Henderson, Carter county.  
Nathaniel T. Crutchfield, Jefferson county.  
William Goebel, Kenton county.  
E. W. Hays, Jefferson county.  
Clifton J. Pratt, Hopkins county.  
J. M. Compton, Franklin county.  
Edward Hensley, Franklin county.  
A. B. Fontain, Jefferson county.  
J. P. Hobson, Hardin county.  
Robt. D. Murray, Hardin county.  
I. N. Webb, Henry county.  
H. M. Winslow, Carroll county.  
Gideon King, Shelby and Henry counties.  
Edward W. C. Humphrey, Jefferson county.  
Thomas J. Wathen, Jefferson county.  
C. H. Schmidt, Jefferson county.  
Ch. Hebel, Jefferson county.  
George M. Davie, Jefferson county.  
Claudius Duvall, Jefferson county.  
Patrick Joyes, Jefferson county.  
J. G. Wilson, Jefferson county.  
H. H. Gibson, Pulaski county.  
A. H. Marrett, jr., Jefferson county.  
John K. Lake, Harrison county.  
C. T. Collings, Jefferson county.  
Charles W. Kavanaugh, Campbell county.  
J. L. Floyd, Jefferson county.  
John M. Burns, Boyd county.  
J. L. Danforth, Jefferson county.  
J. B. Hart, Henderson county.

J. A. Spaulding, Union county.  
George Durell, Jefferson county.  
James W. Marshall, Union county.  
Waller Overton, Campbell county.  
Henry Eyer, Campbell county.  
William Geisell, Jefferson county.  
C. C. Ball, Jefferson county.  
J. T. Thornton, Campbell county.  
J. C. Russell, Jefferson county.  
J. T. O'Neil, Jefferson county.  
E. S. Duncanson, Fayette county.  
John Q. A. King, McCracken county.  
W. J. Humber, Owen county.  
R. H. Shankling, McCracken county.  
Joseph C. Fennell, Kenton county.  
T. M. Curd, Mercer county.  
William P. Larew, Mason county.  
John L. Whitaker, Mason county.  
Charles B. Pearce, jr., Mason county.  
William Geisel, Jefferson county.  
L. A. M. Grief, McCracken county.  
John L. Sanford, Kenton county.  
George B. Kinkead, jr., Fayette county.  
Reed S. Nichols, Boyle county.  
J. W. Lilly, Gallatin county.  
Thomas J. Kean, Jefferson county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

On motion of Mr. Wright, leave of absence, indefinitely, was granted Mr. Huffaker.

The Senate took up for consideration the motion heretofore made, to reconsider the vote by which they had disagreed to the passage of a bill, which originated in the House of Representatives, entitled

An act to incorporate the town of Whitesburg, in Letcher county.

And the question being taken thereon, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Claims, reported

A bill for the benefit of Jeremiah Biggs, late jailer of Carter county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.



Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant on the Treasurer in favor of Jeremiah Biggs, late jailer of Carter county, for the sum of one hundred and eleven dollars and forty-five cents, for taking care of Nancy Martin, colored pauper lunatic, from the 15th day of April, 1874, to the 10th day of October, 1875, by order of the Carter county court.

§ 2. That this act shall take effect and be in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton,
Andrew J. Ewing,	Sumner Marble,	George Wright—25.
H. F. Finley,		

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Cunningham, from the Committee on Courts of Justice, reporten a bill, entitled

A bill to increase the jurisdiction of justices of the peace in the county of Jefferson.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That justices of the peace in the county of Jefferson shall have original and common law jurisdiction (concurrent with the Jefferson court of common pleas in actions where the amount in controversy exceeds fifty dollars) in all actions for the recovery of money or personal property, where the amount in controversy does not exceed two hundred dollars exclusive of interest and costs.

§ 2. That in all actions where the amount in controversy, exclusive of interest and costs, exceeds the sum of fifty dollars, the justice shall collect a tax of fifty cents, and shall pay over and account for the same to the Commonwealth of Kentucky, in the same manner, and under the same penalties for neglect or refusal to do so, as clerks of circuit, chancery, and other courts in the Commonwealth.

§ 3. This act shall take effect and be in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the adoption of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cleveland and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	J. H. Stanley,
James Blackburn,	Duncan Harding,	E. W. Turner,
Robert A. Briggs,	John Hyden,	H. A. Tyler,
Scott Brown,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton,
Andrew J. Ewing,	Joseph B. Read,	George Wright—23.
H. F. Finley,	Robert Simmons,	

Those who voted in the negative, were—

Thos. J. Barker,	R. G. Hays,	Sumner Marble—4.
F. L. Cleveland,		

*Resolved*, That the title of said bill be as aforesaid.

The several committees to whom was referred leaves to bring in bills of the following titles, viz :

By Mr. Walton, from the Committee on Claims—

A leave to bring in a bill for the benefit of S. C. Crawford ;

By Mr. Cunningham, from the Committee on Courts of Justice—

A leave to bring in a bill to equalize the fees of justices of the peace in this Commonwealth ;

By same—

A leave to bring in a bill for the benefit of the justices of the peace in this Commonwealth ;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred bills from the House of Representatives of the following titles, viz :

An act for the benefit of the county clerk of Jessamine county ;

An act for the benefit of Carlisle Collum, of Greenup county ;

An act to authorize the Secretary of State to furnish justices of the peace of district No. 6, in Grayson county, a copy each of the General Statutes;

Reported the same, with the expression of opinion that said bills ought not to pass.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

The Senate took up for consideration the resolution heretofore proposed by Mr. R. G. Hays, entitled

Resolution authorizing the appointment of a joint committee to take into consideration all matters in relation to the registration of births, deaths, and marriages.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The Speaker appointed Messrs. R. G. Hays and Lindsay said committee.

Mr. Barker withdrew the motion heretofore made by him to reconsider the vote by which the Senate had passed a bill from the House of Representatives, entitled

An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the Senate, and had passed the two Houses, entitled

An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

Which was granted.

The Speaker appointed Messrs. Simmons and Varnon said committee.

After a short time, Mr. Simmons reported that the committee had performed the duty assigned them.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled



An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

Which was granted.

Mr. Finley read and laid on the table the following joint resolution, viz :

WHEREAS, Our Statutes and Codes of Practice have for a number of years been undergoing continual changes by reason of amendments and changes made by different Legislatures, and by reason of decisions of the Court of Appeals construing said acts ; and whereas, it is desirable that our Statutes and system of pleading should be, as far as possible, perfected and then remain unchanged ; and whereas, it is believed that if the several circuit judges in this Commonwealth and Commonwealth Attorneys were required to keep a memorandum of such defects in our Statutes and Codes of Practice as they may discover from time to time, and meet in the city of Frankfort once in each year, and, in conjunction with the judges of the Court of Appeals and Attorney General, compare notes and agree upon such changes in our Statutes and Codes of Practice as to them may seem proper, and prepare and submit to the Legislature for their action the same, that it would not only save money to the State, but would tend greatly to perfect our laws and make same uniform and just; be it therefore

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a special committee composed of five, whose duty it shall be to take this matter under consideration, and if, in their judgment, it can be done, that they report a bill carrying out the suggestions in the preamble to this resolution.

Which, under the rule, lies one day on the table.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to create a criminal court in the sixteenth judicial district,  
Reported the same without amendment.

*Ordered,* That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That there is hereby established a court of justice in and for the sixteenth judicial district, in this Commonwealth, which shall be known as the Criminal Court for the Sixteenth Judicial District; said court shall be a court of record, and held by a single judge, who shall have the same qualifications that a circuit judge is required to have, and receive the sum of \$1,800 per annum for his services, which shall be paid him from the State Treasury in the same manner as circuit judges are paid; he shall be conservator of the peace, and have and exercise the same power of a circuit judge in criminal and penal cases and such other causes that may be brought therein as hereinafter provided; he shall have the same power in issuing and receiving the returns and hearing writs of habeas corpus as a circuit judge; he shall be commissioned and sworn as circuit judges are, and commence the duties of his office after his election; hold his office for the same period that circuit judges hold their offices, after the second election for judge of said court; he shall be subject to impeachment and



removal for the same cause, and in the same manner, that circuit judges are under existing laws.

§ 2. The judge shall be elected on the first Monday in August, eighteen hundred and seventy-six, on the same day eighteen hundred and eighty, and every six years thereafter. Vacancies in the office of judge of said court shall be filled in the same manner, and for the same term, as is now provided by law in filling vacancies for the office of circuit judge; and the same practice shall be observed and fees charged, as far as applicable, as in circuit courts. Said court shall have a seal bearing its name and the arms of the Commonwealth.

§ 3. The sheriffs, jailers, coroners, and other ministerial officers of said district shall perform all the duties in all cases and proceedings in said court which would otherwise devolve on them in the circuit court; and they shall be entitled to the same fees therefor; and they and their sureties shall be responsible on their official bonds for their acts in said court. The clerks of the circuit courts in the several counties in said district shall perform all the clerical duties of said court, and shall style themselves the clerk of the criminal court for the county in which each of them may be circuit court clerk; and shall be allowed same fees that they are entitled to for similar services in the circuit court; and shall, with their sureties, be responsible on their bonds for the faithful discharge of their duties herein. Immediately after the first day of August, 1876, said clerks shall, without fee, transfer all criminal and penal causes from the docket of the circuit court to the docket of the criminal court in such county, which causes shall thereafter be disposed of in said criminal court; and said circuit court shall no longer have cognizance of any criminal or penal causes, or plea after Commonwealth, in said district, except in the county of Martin therein.

§ 4. The said criminal court shall have all the jurisdiction in criminal and penal causes and proceedings which the circuit courts have, and which may be conferred upon said courts; and it shall take the place after circuit courts in the counties in said district, except the county of Martin, in such jurisdiction; and it shall also have concurrent jurisdiction with the circuit court in inquests of lunacy and idiocy, and exclusive of the circuit court in allowing claims on the Treasury now allowed by the circuit court.

§ 5. The regular terms of the criminal courts in said district shall commence and be held as follows, viz:

In the county of Carter, at Grayson, commencing on the third Mondays in March and September in each year, and continue twelve juridical days.

In the county of Boyd, at Catlettsburg, commencing on the Mondays succeeding the court in Carter county in each year, and continue twelve juridical days.

In the county of Lawrence, at Louisa, commencing on the Mondays succeeding the court in Boyd county, and continue twelve juridical days.

In the county of Johnson, at Paintsville, commencing on the Mondays succeeding the court of Lawrence county in each year, and continue six juridical days.

In the county of Magoffin, at Salyersville, commencing on the Mondays succeeding the Johnson criminal court in each year, and continue six juridical days.

In the county of Pike, at Pikeville, commencing on Mondays succeeding the Magoffin criminal court in each year, and continue six juridical days.

In the county of Floyd, at Prestonsburg, commencing on the Mondays succeeding the Pike criminal court in each year, and continue nine juridical days.

§ 6. The said court shall extend any of its terms, if the business shall require it, by making an order to that effect in the same manner, and upon the same restriction, as circuit judges may now extend their courts as provided by law; and the judge of said criminal court may call special terms of his courts as circuit judges have the right to do, and in like manner. The judge of the criminal court shall have power to make all proper rules and regulations to facilitate its business, not inconsistent with the Constitution and laws of the State, and its judgment and final orders shall be subject to appeals to the Court of Appeals in like manner as those of circuit courts; and it shall have power to attach for and punish contempts of its authority the same as circuit courts. The Commonwealth Attorney for said district shall attend each term of said court, and represent the Commonwealth and discharge all the duties, and be entitled to the same compensation, as now provided by law for attending and prosecuting in circuit courts.

§ 7. In the selection and summoning jurors and payment of jurors in said court, the same shall be governed by the law at the date applicable to circuit courts. The circuit court in said district, at the term in each county to which this act applies next preceding the time that this act takes effect, shall cause jurors to be selected in the manner required by law for the first term of the criminal court in such county, otherwise such jurors shall be summoned, as provided by law, by sheriffs or other officers; and a grand and petit jury shall be summoned and be in attendance on each term of said criminal court, perform the same services, and receive the same pay that jurors shall be entitled to in the circuit courts; and all bail bonds and recognizances taken at the term preceding the first term of the criminal court in each county by the circuit court, shall be for the appearance of the party for whose appearance said bond or recognizance is given in the criminal court instead of the circuit court; and all magistrates and examining courts in each county shall make all bail bonds, bonds to keep the peace, and recognizances, returnable to the criminal court of such county after this act takes effect.

§ 8. Special judges for said criminal court may be elected for the same causes, and in the same manner, and shall possess the same qualifications as special judges of the circuit court; and the provisions of the law in relation to record-books, presses, seals, stationery, and other expenses in circuit courts shall be applicable to this court.

§ 9. All reports and returns required to be made to the circuit courts in said district, except the county of Martin, by the circuit court clerks, county court clerks, county court judges, police judges, justices of the peace, sheriffs, marshals, constables, trustees of the jury fund, and all civil officers and other persons having fines and forfeitures and other funds in their hands belonging to the jury fund shall be made exclusively to the criminal court, and all the powers and duties of the circuit court respecting the same are hereby transferred exclusively to the criminal court.

§ 10. Nothing in this act shall be so construed as to take from the circuit court the power to make provisions for the payment of jurors of the circuit courts and officers of said court.

§ 11. The judge of the circuit court of the Sixteenth Judicial District may hold the criminal courts provided for by this act, in absence of the regular judge thereof, in any county in said district, or provide for the trial of

any action pending in said court, if the judge of the criminal court is absent or cannot properly preside from any cause. In case neither the judge of the criminal court nor the circuit judge is present, or, if present, cannot properly preside, an election for a special judge may be held in the manner prescribed by law for the election of a special judge in circuit courts, and the law in relation to the compensation of a special judge in the circuit court shall apply to the case of a special judge of the criminal court in said district, except that his salary shall be governed by the salary of the judge of the criminal court.

§ 12. The judge of the criminal court for said district may preside in and hold the circuit courts of said district, whenever the circuit judge is absent or cannot preside, or he may preside in any cause in which the circuit judge cannot properly preside.

§ 13. No grand jury shall be summoned or convened in the circuit court of any county in said Sixteenth Judicial District to which this act applies, but said court shall have petit juries.

§ 14. The criminal court hereby created shall have jurisdiction of all actions that may be brought by equitable proceedings in circuit court in this Commonwealth; and such actions may be brought in the court hereby created, and process issued, and the same proceedings, judgments, and final orders had in such actions as may be had by law in the circuit courts of this Commonwealth; and the final orders of said court in such actions shall be subject to appeal and revision by the Court of Appeals in the same manner as is now fixed by law in the action or proceedings in the circuit courts of this Commonwealth.

§ 15. If, from any cause, the Attorney for the Commonwealth for said district shall fail to attend on any of the criminal courts provided for by this act, it shall and may be lawful for the judge presiding in said court, at such term, to appoint some member of the bar Attorney for the Commonwealth *pro tem.*, who shall receive the same fees that the regular Attorney for the Commonwealth shall receive, payable to him in the same way.

§ 16. This act shall not in anywise apply to the county of Martin.

§ 17. This act shall take effect and be in force from and after the first day of August, 1876.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Robert Simmons,
Thos. J. Barker,	George B. Hodge,	J. H. Stanley,
James Blackburn,	John Hyden,	E. W. Turner,
Scott Brown,	S. H. Jenkins,	H. A. Tyler,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	Sumner Marble,	C. J. Walton—20.
Andrew J. Ewing,	Joseph B. Read,	

Those who voted in the negative were—

P. A. Lyon, George Wright—2.

*Resolved,* That the title of said bill be as aforesaid.



Mr. Briggs, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Wm. D. Berry, of Hickman county,

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill be read a third time as amended.

Said bill was then read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor draw his warrant on the Treasurer in favor of William D. Berry, of Hickman county, for the sum of one hundred and eighteen dollars and seventy-five cents, for taking care of and providing for Patsy Womack, a pauper lunatic, from the 4th day of September, 1873, to the 4th day of November, 1874.

§ 2. That this act shall be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—27.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to protect sheep in Kenton county.

By Mr. Read, from the Committee on Education—

An act for the benefit of R. L. McElroy, late trustee of school district No. 16, of Marion county.

By same—

An act for the benefit of school district No. 34, in Taylor county.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act for the benefit of the Alexandria and Persimmon Grove Turnpike Company, in Campbell county.



By Mr. Wright, from the Committee on Finance—

An act to repeal an act, entitled "An act to regulate the pay of members of the court of claims of Todd county."

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate the Odd Fellows' Funeral Aid Association, of Maysville.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to repeal several acts increasing the jurisdiction of quarterly and justices' courts in the county of Anderson.

By Mr. Hodge, from the Committee on Railroads—

An act to incorporate the Ludlow, West Covington, and Suspension Bridge Street Railway Company.

By Mr. Tyler, from the Committee on Courts of Justice—

An act to empower the court of claims of Shelby county to levy an ad valorem tax, and to legalize the ad valorem levies of 1873-'4-'5.

By Mr. Blackburn, from the Committee on Charitable Institutions—

An act to incorporate Amenda Lodge, No. 31, Knights of Pythias.

By same—

An act to incorporate the Fifth Presbyterian Church of Louisville, Kentucky.

By same—

An act to incorporate Owen Lodge, No. 85, I. O. O. F.

By same—

An act to charter the Southern Kentucky Orphan Asylum.

By same—

An act to incorporate Olive Lodge, No. 24, Knights of Pythias, of Carrollton, Kentucky.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of W. P. Fox, jailer of Knox county.

By same—

An act for the benefit of David Pryse, of Lee county.

By same—

An act for the benefit of Thos. J. Winfrey, of Russell county.

By Mr. Blackburn, from the Committee on Claims—

An act for the benefit of John W. Mills, of Adair county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to change the time of holding quarterly courts in Anderson county.

By same—

An act to fix the time of holding the quarterly courts in Muhlenburg county.

By same—

An act to authorize the Martin county court to issue bonds for the purpose of erecting and repairing public buildings in said county, and providing for the payment of same.

By same—

An act giving the police judge of Paradise, Muhlenburg county, concurrent jurisdiction with justices of the peace.

By same—

An act to authorize the county court of Pulaski county to issue bonds to raise money to build a jail.

By same—

An act to amend the charter of the town of Franklin, Kentucky, approved December 18, 1867.

By same—

An act to authorize the county court of Pulaski county to sell ground and purchase a new site for a jail.

By same—

An act to legalize the proceedings of the Christian county quarterly court begun and held on the fourth Monday in January, 1876.

By same—

An act to change the time of holding the February term of the Henderson quarterly court.

By same—

An act concerning executors and administrators.

By same—

An act for the benefit of Polly Davis, administratrix of R. P. Davis, late surveyor of Breathitt county.

By same—

An act legalizing an order of the Martin county court of claims, and authorizing said court to levy an ad valorem tax in said county.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of George W. Williams, of Christian county.

By same—

An act for the benefit of Hickman county.

By Mr. Blackburn, from the Committee on Claims—

An act for the benefit of E. G. Davidson, of Clinton county.

By same—

An act for the benefit of Felix Gibson, of Wayne county.

With amendments to the last four named bills.

Which were adopted.

*Ordered*, That said bills, the last four named as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. Barbour—

1. A bill to incorporate the Eden Turnpike Road Company.

On motion of Mr. Culbertson—

2. A bill for the benefit of Wm. Brown and Ed. Meek, of Lawrence county.

On motion of Mr. Cleveland—

3. A bill to amend chapter 28, article 3, General Statutes.

*Ordered*, That the Committee on Internal Improvement prepare and bring in the 1st; the Committee on Finance the 2d, and the Committee on Courts of Justice the 3d.

And then the Senate adjourned.

## WEDNESDAY, MARCH 1, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate Kentucky College.

An act to prevent the sale of spirituous, malt, or vinous liquors within one mile of the court-house in the town of Columbia, Adair county.

An act for the benefit of Fletcher Chelf, of Marion county.

An act for the benefit of Fanny Carr.

An act defining the duty of the sheriff and other officers executing an original process in Kenton county.

An act to repeal an act, entitled "An act providing for levying a tax in aid of common schools in Greenup, Boyd, and Carter counties."

An act in aid of common school district No. 29, Marshall county, and district No. 21, in Ballard county.

An act for the benefit of H. M. Alexander, sheriff of Cumberland county.

An act to attach Rock House Bottom, in Cumberland county, to Russell county.

An act for the benefit of the Building and Loan Association of Carrollton.

An act for the benefit of Clinton and Cumberland counties.

An act to authorize the purchasers of the property of the Red River Iron Manufacturing Company to organize as a new corporation.

An act to incorporate the People's Gas-light Company, of Lexington.

An act to prohibit the sale of spirituous, malt, or vinous liquors in Glasgow, or within one mile from the outside boundary thereof.

An act to incorporate the Mount Sterling Female College.

An act to amend section 6, article 13, chapter 29, General Statutes, for the benefit of Wm. F. Peak, of Trimble county.

An act to prohibit the sale of spirituous liquors in the town of Monticello, Wayne county, and within five miles of said town.



An act to incorporate the Williamstown Deposit Bank.

An act to prevent trespass in certain counties of this Commonwealth.

An act to incorporate the Students' Association of Georgetown College.

An act to incorporate the Odd Fellows' Orphanage and Home, of Louisville, Kentucky.

Resolution appropriating money to W. H. Gillis.

Resolution to print report of the commissioners of the Kentucky Institution for the Deaf and Dumb.

An act to authorize the city of Covington to erect a bridge over the Ohio river.

An act to increase the number, and fix the time and place of holding, the county courts in Warren county.

An act for the benefit of M. J. Miller, committee for Lucinda Mullins, pauper idiot, of Rockcastle county.

An act to incorporate the Salem Gemeinde, of Newport, Kentucky.

An act to authorize the trustees of the Methodist Episcopal Church, South, in Brandenburg, Meade county, to sell and convey certain church property for the benefit of said church.

An act to increase the jurisdiction of the police judge of Moscow, Hickman county, in civil cases.

An act authorizing Ballard county court to levy an ad valorem tax.

An act to re-establish the common pleas court in the county of Union.

An act to amend an act, entitled "An act to incorporate the town of Butler, Pendleton county."

An act authorizing the Wayne county court to sell twenty thousand dollars of the bonds of the county for the purpose of building a court-house.

An act to amend the charter of the Ford's Mill and Kentucky River Turnpike Road Company.

An act incorporating the St. Mary's, Raywick, and New Hope Turnpike Road Company.

An act to amend and reduce into one the several acts relating to roads in Union county.

An act to regulate the times of holding the county court of Daviess county.

The following act has become a law by reason of the failure of the Governor to return the same with his objection within ten days:

An act for the benefit of Wells, Mitchell & Co.

That they had concurred in the amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to authorize the voters of Mayfield to vote upon the question of prohibiting the sale of spirituous liquors, &c., in said city.

An act to incorporate the Centennial Building and Savings Association, of Covington, Kentucky.

That they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act to incorporate the Three Forks of Grassy Creek, Knoxville, and Dry Ridge Turnpike Road Company, in Pendleton and Grant counties.

An act for the benefit of D. F. Smith, of Warren county.

An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

An act for the benefit of A. C. Thomas and Simon Humphreys, sheriffs of Nelson county.

An act to amend the charter of the Masonic Mutual Benefit Association, of Maysville.

An act in relation to the sale of spirituous, vinous, and malt liquors in the town of Foster, in Bracken county.

An act for the benefit of Alexander Deaton, former sheriff of Breathitt county.

Resolution authorizing the appointment of a joint committee to take into consideration all matters in relation to the registration of births, deaths, and marriages.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to incorporate the Ancient Order of United Workmen."

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be referred to the Committee on Charitable Institutions.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Simmons, from the Committee on the Judiciary—

1. An act to incorporate the town of Burlington, in Boone county.

By Mr. Read, from the Committee on Education—

2. An act to incorporate the Mattie Hays Boat Club, of Louisville, Kentucky.

By Mr. Simmons, from the Committee on Education—

3. An act to make additional provision for the education of the colored children in the city of Covington.

By Mr. Cleveland, from the Committee on Appropriations—

4. An act legalizing vote taken by the voters of Falmouth, in Pendleton county, on the 13th day of February, 1875, authorizing the board of trustees of said town guaranteeing the payment of interest on twenty-five thousand dollars of bonds issued by the Covington, Flemingsburg, and Pound Gap Railroad Company.

By Mr. Lindsay, from the Committee on Religion and Morals—

5. An act to incorporate the Cemetery Company of Browinski Lodge, No. 64, I. O. O. F., in Carroll county.

By Mr. Cunningham, from the Committee on Courts of Justice—

6. An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases.

By Mr. Lindsay, from the Committee on Religion and Morals—

7. An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of Caverna," approved February 27, 1873.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That the 6th of said bills be committed to the Committee on the Judiciary, and the others be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Tyler, from the Committee on the Judiciary—

A bill to amend an act, entitled "An act to incorporate the town of Fulton, in Fulton county," approved February 8, 1872.

By same—

An act to incorporate the Phœnix Lyceum, in Fulton county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills, being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Cunningham, from the Committee on Courts of Justice, reported

A bill to amend section 6, article 13, chapter 38, of the General Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. Turner proposed an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Wright, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants, and tobacco dealers on commission,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time.



A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend an act to incorporate the town of Fulton, in Fulton county, approved February 8, 1872.

A message was received from the House of Representatives, announcing that they had refused to concur in the amendment proposed by the Senate to the second amendment proposed by the House to a bill, which originated in the Senate, entitled

An act increasing the jurisdiction of the quarterly courts and justices in Christian and other counties.

And that they had refused to recede from the first and third amendments proposed by the House of Representatives to said bill, and asked the appointment of a Committee of Conference to take into consideration the disagreement between the two Houses in relation to said proposed amendment.

Which was granted.

The Speaker appointed Messrs. Cleveland, Marble, and Barker said committee on the part of the Senate.

Mr. Read moved to reconsider the vote by which the Senate had, on yesterday, passed a bill, entitled

An act to increase the jurisdiction of justices of the peace in the county of Jefferson.

Which motion was simply entered.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Lewis county.

An act to reduce into one and amend and digest the acts and amendatory acts incorporating the city of Augusta, in Bracken county.

A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT,  
FRANKFORT, February 29, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice and consent the following named persons, to be appointed Commissioners for the term prescribed by law :

William Hughes, John Sherley, and Edward D. Hobbs, members of the Board of Commissioners of Central Lunatic Asylum.

Phil. P. Johnston, J. S. Woolfolk, and Dr. William Atkins, members of the Board of Commissioner of the First Kentucky Lunatic Asylum.

Samuel G. Beckner, George O. Thompson, and John M. Mills, members of the Board of Commissioners of the Second Lunatic Asylum.

Dr. T. S. Bell, William Kendrick, and Gavin H. Cochran, members of the Board Commissioners of Kentucky Asylum for the Education of the Blind.

Grant Green, Green Clay Smith, and James W. Tate, members of the Board of Commissioners of Kentucky Institution for the Education and Training of Feeble-minded Children.

I also nominate for your advice and consent Buford T. Wood, M. D., of Washington county, for appointment as Assistant Physician of the Kentucky Institution for the Education of Feeble-minded Children, to fill the vacancy occasioned by the death of Dr. Waller Chenault.

JAMES B. McCREARY, *Governor*.

Mr. Goodloe moved to postpone the further consideration of said message until Fridry next, the 3d inst.

Which motion was adopted.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the House of Representatives, and that had passed the two Houses, entitled

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto;

Which was granted.

Mr. Blackburn was appointed said committee on the part of the Senate.

After a short time, Mr. Blackburn reported that the committee had performed the duty assigned them.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto.

Which was granted, and the said bill was handed in at the Clerk's desk.

Mr. Blackburn then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was adopted.

*Ordered*, That said bill be recommitted to the Committee on Charitable Institutions.

The Senate took up for consideration

A bill to change the mode of punishment in cases of petit larceny.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter persons who are found guilty of the crime of petit larceny by a court of competent jurisdiction shall be sentenced to hard work upon the streets of the county seat of the county in which the crime was committed, or upon the public roads or public works of said county, with or without a ball and chain, as may be determined by the court, or said offender may be punished with any number of stripes, not exceeding thirty-nine, to be administered by the sheriff of said county.

§ 2. It shall be the duty of the jailer of the county to see that the person or persons convicted and sentenced to labor upon said streets, roads, or public works, shall be put to work upon such streets, roads, or public works as may be designated by the court; and said jailer shall receive as a compensation for his service the sum of fifty cents for each day said party so convicted shall work, the usual compensation for keeping prisoners confined in jail to be paid out of the county levy of the county.

§ 3. Should the party so sentenced to hard labor escape before the time shall have expired to which he was sentenced to work, he shall, upon being recaptured, be required to work double the unexpired time he has to serve.

§ 4. This act to take effect from its passage.

Mr. Walton moved to amend said bill by striking out the word "court," in the sixth line of the first section, and inserting in lieu thereof the word "jury."

Which was adopted.

Mr. Goodloe moved to amend said bill by striking out all of the first section after the word "jury," in the sixth line thereof.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simmons and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	J. R. Leslie,
F. L. Cleveland,	Duncan Harding,	Sumner Marble,
W. W. Culbertson,	James W. Hays,	Robert Simmons,
W. A. Cunningham,	R. G. Hays,	J. H. Stanley,
Andrew J. Ewing,	George B. Hodge,	H. A. Tyler—17.
James B. Garnett,	John Hyden,	

Those who voted in the negative, were—

Thos. J. Barker,	R. B. Lovel,	Thos. W. Varnon,
James Blackburn,	P. A. Lyon,	W. L. Vories,
Scott Brown,	Joseph B. Read,	C. J. Walton,

H. F. Finley,  
S. H. Jenkins,

E. W. Turner,

George Wright—13.

Mr. Read moved to amend said bill by adding the following as an additional section, viz :

“The provisions of this bill shall not apply to the county of Jefferson or city of Louisville.”

Which was adopted.

Mr. Finley moved to amend said bill by adding the following as additional sections, viz :

§ 6. The presiding judges of the various counties of this Commonwealth shall have concurrent jurisdiction with the circuit courts, for the trial and punishment of persons guilty of petit larceny.

§ 7. That any person found guilty of petit larceny a second time, shall be sentenced to confinement in the penitentiary for a period of not less than one nor more than two years; and for a third offense he shall be confined as is provided.

Pending the consideration of which amendment, Mr. Finley moved to recommit said bill to the Committee on General Statutes and Codes of Practice.

Which motion was adopted.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the county courts to establish work-houses, and to provide for the confinement therein of persons adjudged guilty of misdemeanors,

Reported the same without amendment.

Mr. Turner moved an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration the resolution heretofore proposed by Mr. Barker.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That when this present General Assembly shall adjourn on Tuesday, the 7th day of March, 1876, it shall be an adjournment *sine die*.

Mr. R. G. Hays moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.



The yeas and nays being required thereon by Messrs. Barker and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	R. G. Hays,	Joseph B. Read,
Scott Brown,	John Hyden,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
H. F. Finley,	R. B. Lovel,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	W. L. Vories—20.
Duncan Harding,	Sumner Marble,	

Those who voted in the negative, were—

Thos. J. Barker,	Andrew J. Ewing,	E. W. Turner,
Robert A. Briggs,	Wm. Cassius Goodloe,	C. J. Walton,
W. W. Culbertson,	James W. Hays,	George Wright—9.

So said resolution was rejected.

The Senate took up for consideration amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Farmers and Traders' Bank.

An act to incorporate the Louisville Bank of Commerce.

Which were twice read and concurred in.

The Senate took up for consideration

A bill to authorize the trustees of the various jury funds in the Commonwealth of Kentucky to pay Commonwealth witness claims in criminal cases.

Mr. Barker moved to lay said bill on the table.

Which motion was adopted.

The Senate took up for consideration

A bill in relation to official sales in the counties of Nelson, Spencer, and Shelby.

Mr. Barker moved to lay said bill on the table.

Which motion was adopted.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act concerning judicial sales of the property and franchises of railroads and turnpike corporations,

Together with the amendment proposed by the Committee on the Judiciary as a substitute for the first section of said bill.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That sales of the property and franchises of railroad and turnpike corporations, when adjudged by a court, shall be on such credits and

terms, and after such notice and advertisement, and at such place as, in the discretion of the court, shall seem proper: *Provided*, That if such sales are made on the foreclosure and enforcement of a mortgage or deed of trust, the credits upon the amounts which have become due and are in arrear, by the terms of the bonds or obligations, not including amounts which have only become demandable by reason of default in payment of interest, shall not exceed an average of five years.

§ 2. The officer making the sale shall receive such compensation therefor as the court may award, not exceeding four thousand dollars.

§ 3. This act shall take effect from its passage.

The amendment proposed by the Committee on the Judiciary reads as follows, viz :

§ 1. That sales of the property and franchises of railroad and turnpike corporations, when adjudged by a court, shall be after such notice and advertisement, and at such place as, in the discretion of the court, shall seem proper; and if such sales are made on the foreclosure of a mortgage or deed of trust, the court may order such sale to be made for the whole amount of the outstanding bonds and interest secured by said deed of trust or mortgage; or if said property and franchises will produce so much, then for the amount of interest due under said deed of trust or mortgage, subject to the payment by the purchaser of the outstanding bonds and interest secured thereby as they become due; and in the latter event may, by proper orders, secure such assumption. But where a sale shall be ordered to be made subject as aforesaid, the court shall direct the officer making such sale, in the event that such property and franchises offered, subject as aforesaid, do not sell for enough to pay the amount aforesaid, then to sell such property and franchises for the whole amount of outstanding bonds and interest secured under said deed of trust or mortgage. Sales made under the provisions of this act shall be on such credits as the court may deem proper: *Provided*, That where the sale is made subject as aforesaid, the average credit shall not be less than two years, or more than four years; and where the sale is not made subject as aforesaid, the average credit shall not be less than three years, or more than six years.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Tyler then proposed to amend said bill by striking out the first section thereof, and inserting in lieu of said section the following, viz :

§ 1. That sales of the property and franchises of railroad and turnpike corporations, when adjudged by a court, shall be after such notice and advertisement, and at such place as, in the discretion of the court, shall seem proper; and if such sales are made on the foreclosure of one or more mortgages or deeds of trust, the court may order such sale to be made for the whole amount of the outstanding bonds and interest secured by such deed or deeds of trust or mortgage; or if said property and franchises will produce so much, then for the amount of interest due under said deed or deeds of trust or mortgage, or either of them, subject to the payment by the purchaser of the outstanding bonds and interest secured thereby as they become due; and in the latter event may, by proper orders, secure the assumption thereof by the purchaser. But where

a sale shall be ordered to be made subject as aforesaid, the court shall direct the officer making such sale, in the event that such property and franchises so offered do not sell for enough to pay the amount aforesaid, then to sell such property and franchises free from incumbrances. Sales made under the provisions of this act shall be on such credits as the court may deem proper: *Provided*, That where the sale is made subject as aforesaid, the average credit shall not be less than two years, or more than four years; and where the sale is not made subject as aforesaid, the average credit shall not be less than three years, or more than six years.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. R. G. Hays moved to amend said bill by striking out the words "four thousand," in the second line of the second section, and inserting in lieu thereof the words "five thousand."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Barker then moved to amend said bill by striking out the words "not exceeding four thousand dollars," in the second line of the second section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Read then moved to amend said bill by striking out the second section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

Mr. Tyler moved to dispense with the rule of the Senate requiring said bill to lie over one day before being placed upon its passage.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Wm. Cassius Goodloe,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—27.

Those who voted in the negative, were—

Thos. J. Barker, R. G. Hays—2.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cunningham and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Wm. Cassius Goodloe,	Sumner Marble,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	James W. Hays,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—27.

Those who voted in the negative, were

R. G. Hays, Joseph B. Read—2.

*Resolved*, That the title of said bill be as aforesaid.

On motion of Mr. Varnon, leave of absence, for one day, was granted the Speaker of the Senate.

Leave was given to bring in the following bills, viz :

On motion of Mr. Harding—

A bill for the benefit of the assessor of Harrison county.

On motion of Mr. Hyden—

A bill for the benefit of Solomon Collins, of Clay county.

On motion of same—

A bill for the benefit of Henry Fields, late sheriff of Perry county.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the same.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act appropriating money to the Central Kentucky Lunatic Asylum;

An act making special appropriation to the First Kentucky Lunatic Asylum;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of S. S. Johnson, late sheriff of Warren county;



An act for the benefit of common school district No. 35, Rockcastle county;

An act to amend the charter of the city of Covington;

An act to incorporate the Lexington Gas Company, of Lexington, Kentucky;

An act to empower the county court of Henry county to levy an ad valorem tax of fifteen cents on the one hundred dollars for county purposes;

An act to amend the charter of the city of Paducah;

An act to authorize McCracken county to levy a tax for county purposes;

An act for the benefit of C. W. Hull, deputy jailer of Kenton county;

An act for the benefit of Daniel McCullom, jr., appropriating him \$87 50;

An act for the benefit of George W. Sweeny, late sheriff of Casey county;

An act for the benefit of Charles Breedin, of Gallatin county;

An act for the benefit of E. G. Davidson, of Clinton county;

An act for the benefit of T. C. Gillenwaters, committee for Sarah T. Morrison, a pauper idiot, of Barren county;

An act for the benefit of Seymour H. Perkins, clerk of the Todd county court;

An act to incorporate the town of Cherry Hill, in Trigg county;

An act for the benefit of Richard Hackley, elisor of the Garrard circuit court;

An act to amend an act to incorporate the town of Greenville, and give concurrent jurisdiction with police judge to county judge and justices of the peace;

An act to amend the charter of the town of Rockport, Ohio county;

An act to incorporate the State Grange of the Patrons of Husbandry of Kentucky;

33. An act to declare Cane creek, in Breathitt county, a navigable stream from its mouth to the mouth of Seward's branch;

An act for the benefit of Samuel Cecil, of Clinton county;

An act to change the time of holding the Union circuit court;

An act for the benefit of the Lawrenceburg and Shryock's Ferry Turnpike Road Company;

An act to amend the charter of the Odd Fellows' Insurance Company of Kentucky;

An act for the benefit of G. P. Jolly, late sheriff of Breckinridge county;

An act for the benefit of James McGuire, of Russell county;

An act to amend an act, entitled "An act to amend an act to incorporate the Second Presbyterian Church of the city of Louisville;"

An act to incorporate the Mouth of Tate's Creek Turnpike Road Company;

An act authorizing court of claims of Hancock county to levy an additional ad valorem tax of twenty cents;

An act to enable the people of Jessamine county to vote a tax on themselves to build a new court-house in said county;

An act for the benefit of Garfield McCormack, of Lawrence county;

An act to change the time of holding the county and quarterly courts for Lincoln county;

An act to amend an act, entitled "An act to amend the charter of the Louisville Banking Company, of the city of Louisville;"

An act to amend an act to incorporate the Danville, Lancaster, and Nicholasville Turnpike Road Company;

An act to amend an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district," approved February 23, 1876;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

In the absence of the regular Speaker, and at his request, Hon. E. W. Turner, Senator from the Twenty-ninth District, took the Chair.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to exempt certain benevolent and charitable associations from the operation of the general life insurance laws of this Commonwealth.

An act for the benefit of B. R. Nall and other securities of Joseph Gore, late sheriff of Larue county.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

An act granting the use and possession of the reservoir on the Public Square to John R. Graham and Green Clay Smith, of the city of Frankfort, for the purpose of cultivating fish.

An act to amend an act, entitled "An act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same," approved March 29, 1873.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 1st be referred to the Committee on Library and Public Offices and Buildings, and the second be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of G. W. Baker, late sheriff of Jackson county.

By Mr. Varnon, from the Committee on Privileges and Elections—

A bill to incorporate the James Owen Lodge, Independent Sons of Honor, No. 1.

By Mr. Cleveland, from the Committee on Appropriations—

A bill for the benefit of John M. Curry, ex-sheriff of Pendleton county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill for the benefit of Patsy Willis, of Carroll county.

By Mr. Walton, from the Committee on Claims—

A bill for the benefit of Pat. Rush, jailer of Hart county.

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to provide for the improvement of public roads in Hart county.

By Mr. Barker, from the Committee on Internal Improvement—

A bill to incorporate the Stanford and Smith's Mill Turnpike Road Company, in Lincoln county.

By Mr. Leslie, from the Committee on Courts of Justice—

A bill to amend an act, entitled "An act to create and regulate the office of county treasurer for Franklin county," approved March 9, 1868.

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to provide for opening, repairing, and keeping in repair the public roads in Gallatin county.

By Mr. Tyler, from the Committee on the Judiciary—

A bill giving Henry Fields, late sheriff of Perry county, the further time of six months in which to make out and return his delinquent list for the years 1873 and 1874.

By Mr. Marble, from the Committee on Banks and Insurance—

A bill to amend the title of chapter 159 of the act approved February 14, 1876.

By Mr. Goodloe, from the Committee on the Judiciary—

A bill to amend chapter 29, article 11, section 1, of the General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named bill be printed and recommitted to the Committee on the Judiciary, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tyler, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled.

An act to regulate the holding the court of claims in Pulaski county,

Reported the same, with the expression of opinion that said bill ought not to pass.



And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barker, from the Committee on Internal Improvement—

An act to incorporate the Springfield and Bradsfordsville Turnpike Road Company.

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

An act to create an additional voting place in the 5th magisterial district, of Kenton county.

By Mr. Barker, from the Committee on the Judiciary—

An act to change the boundary line of magisterial districts Nos. 2 and 3, in Kenton county.

By Mr. Tyler, from the Committee on the Judiciary—

An act to amend the charter of the town of Caseyville, Union county.

By Mr. Goodloe, from the Committee on the Judiciary—

An act to amend the charter of the town of Caseyville.

By Mr. Garnett, from the Committee on the Judiciary—

An act to incorporate the town of Skilesville, in Muhlenburg county, Kentucky.

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act to authorize the board of council of Franklin, Kentucky, to issue bonds and provide for the payment of same.

By Mr. Wright, from the Committee on Finance—

An act for the benefit of the sheriff of Warren county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act to amend the charter of Bardstown, regulating the fees of the police judge of said town.

By Mr. Barker, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act to incorporate the Shelbyville and Bardstown Turnpike Company."

By same—

An act to amend an act, entitled "An act to incorporate the Chaplin and Bloomfield Turnpike Road Company."

By same—

An act for the benefit of the Bloomfield and Springfield Turnpike Road Company.

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to amend the charter of the Danville and Hustonville Turnpike Road Company.

By Mr. Read, from the Committee on Education—

An act for the benefit of common schools in Barren county.

By Mr. Barker, from the Committee on the Judiciary—

An act to incorporate the town of Summer Shade, in Metcalfe county.

By Mr. Tyler, from the Committee on the Judiciary—

An act for the benefit of the town of Westport, in Oldham county.

By Mr. Goodloe, from the Committee on Railroads—

An act to incorporate the Milton and Patton's Creek Railway Company.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act to amend an act, approved March 14, 1871, entitled "An act to incorporate the Iron Works Turnpike Road Company."

By Mr. Barker, from the Committee on Internal Improvement—

An act to regulate tolls on turnpike roads in Owen county.

By same—

An act to amend section 10, article 2, chapter 27, General Statutes.

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to regulate the road law of Kenton county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to authorize the sale of the property in Barbourville, known as the Baptist Church and school property.

By Mr. Wright, from the Committee on Finance—

An act for the benefit of the assessor of Fulton county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act to amend the charter of the town of Adairville, in Logan county.

By Mr. Barker, from the Committee on Internal Improvement—

An act to incorporate the Antioch and Houston Turnpike Road Company.

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to incorporate the New Providence and Western Turnpike Road Company.

By Mr. Barker, from the Committee on the Judiciary—

An act changing the boundary of the town of Georgetown, in Scott county.

With amendments to the last two named bills.

Which were adopted.

*Ordered*, That said bills, the last two as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Briggs then moved to reconsider the vote by which the Senate had passed the first named of said bills.

Which motion was simply entered.

Mr. R. G. Hays, from the Committee on Finance, to whom was recommended

A bill for the benefit of Hezekiah McKeehan, committee of Isaac McKeehan, pauper lunatic, of Whitley county,

Reported the same without amendment.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant upon the Treasurer of this State in favor of Hezekiah McKeehan, committee of Isaac McKeehan, a pauper lunatic of Whitley county, for the sum of two hundred dollars, it being compensation to him for having kept, fed, and clothed the said Isaac, found to be a pauper lunatic by the Whitley circuit court, from the 28th day of March, 1872, to the 28th day of March, 1873, to be paid out of any money in the treasury not otherwise appropriated.

§ 2. That this act shall be in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	Thos. W. Varnon,

H. F. Finley,  
James B. Garnett,

R. B. Lovel,  
P. A. Lyon,

C. J. Walton,  
George Wright—27.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants, and tobacco dealers on commission,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

And then the Senate adjourned.

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#### THURSDAY, MARCH 2, 1876.

In the absence of the regular Speaker, and at his request, Hon. Jas. W. Hays, Senator from the Twelfth District, took the Chair.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of Farmer Rees, of Owen county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Thomas Shanks, sheriff of the county of Jefferson.

An act to change the time of holding the Letcher quarterly court.

An act for the benefit of the sureties of A. C. Bowman, late sheriff of Breathitt county.

An act to amend the charter and reduce into one the several acts concerning the town of Sharpsburg, Bath county.

An act in relation to official sales in the county of Bracken.

An act to amend an act, entitled "An act to incorporate Confederate City, in Rowan county."



An act to tax public exhibitions in the town of Ashland for the benefit of the common schools of the town.

An act for the benefit of the deputy clerk of the Magoffin county court.

An act to amend the charter of the town of Berlin, approved March 15, 1869, in Bracken county.

An act for the benefit of Jane Thompson.

An act to incorporate the Phœnix Lyceum, in Fulton county.

An act for the benefit of John M. Curry, ex-sheriff of Pendleton county.

That they had passed bills of the following titles, viz :

1. An act to protect game and to punish trespass on land in Adair county.

2. An act in relation to the county levy of Union county.

3. An act for the benefit of the sheriff of Allen county.

4. An act to incorporate Halsill's Female Seminary, in Warren county.

5. An act to incorporate Lawrenceburg and Camdensville Branch Road Turnpike Company, in Anderson county.

6. An act to incorporate the Fox Creek and Washington County Turnpike Road Company.

7. An act to create the office of county treasurer for Barren county.

8. An act to establish a normal school at Glasgow, in Barren county.

9. An act to incorporate the Bath County Agricultural and Mechanical Association.

10. An act to authorize the Owen county court to sell the poor-house in that county.

11. An act to authorize the county court of Boone county to sell and convey the old jail lot.

12. An act to repeal section three of an act to amend the charter of the town of Shelby City.

13. An act in aid of common schools of Boyle county.

14. An act to declare Frozen creek, in Breathitt county, a navigable stream.

15. An act requiring the Court of Appeals to hold its sessions in the city of Louisville.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 9th to the Committee on Agriculture and Manufactures; the 2d and 3d to the Committee on Finance; the 4th, 8th, and 13th to the Committee on Education; the 5th and 6th to the Committee on Internal Improvement; the 7th, 11th, and 15th to the Committee on Courts of Justice; the 10th to the Committee on Religion and Morals; the 12th to the Committee on the Judiciary, and the 14th to the Committee on Propositions and Grievances.

Leave was given to bring in the following bills, viz:

On motion of Mr. Brown—

A bill to charter the Plum Branch and Bald Knob Turnpike Road Company.

On motion of Mr. Simmons—

A bill to incorporate Milton Park, Kenton county.

*Ordered*, That the Committee on Internal Improvement prepare and bring in the 1st, and the Committee on Agriculture and Manufactures the 2d.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Cleveland, from the Committee on Appropriations—

A bill for the benefit of B. B. Mullens, ex-sheriff of Pendleton county.

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill to amend article 3 of chapter 14 of the General Statutes.

By same—

A bill for the benefit of the assessor of Harrison county.

By same—

A bill to amend the charter of the town of New Columbus, in Owen county.

By Mr. Swoope, from the Committee on Courts of Justice—

A bill giving the consent of the Legislature of this State to the purchase or condemnation by the United States Government of land within the State for public purposes.

By Mr. Leslie, from the Committee on Courts of Justice—

A bill to regulate and fix the times for holding circuit courts in the 4th judicial district, and the counties of Logan and Butler.

By Mr. Read, from the Committee on Education—

A bill to establish and maintain a graded free school in the town of Harrodsburg.

By Mr. Simmons, from the Committee on Education—

A bill to incorporate the Louisville Rugby School, of the city of Louisville.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act for the benefit of common school district No. 21, of Bourbon county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Sixty-five children were erroneously omitted from the census report of pupil children for the school year ending June 30th, 1876, in district No 21, Bourbon county; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred and twenty-seven dollars and forty cents be appropriated to said district, for the benefit of the teacher thereof, to be paid from the interest accruing from the Bourbon county surplus bond; and when the commissioner shall draw his draft for the same, countersigned by the Superintendent of Public Instruction, the Auditor shall issue his warrant in favor of Will. H. Lockhart, commissioner of Bourbon county, to be paid by him to the teacher of district No. 21 for said year.

§ 2. This act shall take effect from and after January 10th, 1877.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,



Robert A. Briggs,  
Scott Brown,  
F. L. Cleveland,  
W. W. Culbertson,  
W. A. Cunningham,  
Andrew J. Ewing,  
James B. Garnett,

James W. Hays,  
R. G. Hays,  
S. H. Jenkins,  
J. R. Leslie,  
D. H. Lindsay,  
R. B. Lovel,  
P. A. Lyon,

Robert Simmons,  
J. H. Stanley,  
E. W. Turner,  
Thos. W. Varnon,  
W. L. Vories,  
C. J. Walton,  
George Wright--27.

In the negative--none.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act making special appropriation to the First Kentucky Lunatic Asylum.

An act to incorporate the purchasers of railroads.

An act appropriating money to the Central Kentucky Lunatic Asylum.

The Senate took up for consideration

A bill for the protection of sheep and dogs in the counties of Ballard, Henry, and other counties.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to compensate jurors in quarterly, city, and justices' courts in certain counties,

Reported the same with an amendment.

Sundry amendments were proposed to said amendment.

Pending the consideration of which, Mr. Garnett moved to lay said bill and pending amendments on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Briggs and Garnett, were as follows, viz :



Those who voted in the affirmative, were—

H. F. Finley,	R. G. Hays,	Joseph B. Read,
James B. Garnett,	S. H. Jenkins,	G. W. Swoope—7.
James W. Hays,		

Those who voted in the negative, were—

Thos. J. Barker,	Andrew J. Ewing,	Robert Simmons,
Wm. J. Berry,	Duncan Harding,	J. H. Stanley,
James Blackburn,	George B. Hodge,	E. W. Turner,
Robert A. Briggs,	John Hyden,	H. A. Tyler,
Scott Brown,	J. R. Leslie,	Thos. W. Varnon,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,
W. W. Culbertson,	P. A. Lyon,	C. J. Walton,
W. A. Cunningham,	Sumner Marble,	George Wright—24.

Mr. Vories then moved to recommit said bill and amendments to the Committee on Courts of Justice.

Which motion was adopted.

Mr. Berry, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of John Grumbly, of Todd county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Lovel, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	H. F. Finley,	J. R. Leslie,
Wm. J. Berry,	Duncan Harding,	P. A. Lyon,
Scott Brown,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	E. W. Turner—12.

Those who voted in the negative, were—

James Blackburn,	George B. Hodge,	G. W. Swoope,
Robert A. Briggs,	S. H. Jenkins,	H. A. Tyler,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	C. J. Walton,
James B. Garnett,	Robert Simmons,	George Wright—20.
James W. Hays,	J. H. Stanley,	

So said bill was disagreed to.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That John Grumbly, an aged and venerable citizen of Todd county,

and of excellent character for honest probity and good demeanor, be, and he is hereby, authorized to solemnize the rites of matrimony; and all marriages thus solemnized shall be as binding and complete as though the ceremony had been performed by any person now authorized by law.

§ 2. This act shall take effect from its passage.

Mr. Cunningham, from the Committee on Courts of Justice, reported

A bill to authorize the city of Lawrenceburg, Indiana, to purchase ferry in Boone county, opposite said city.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That so much of the General Statutes, chapter 42, title "Ferries," as applied to non-resident owners of ferry franchises, be, and the same is hereby, repealed, so far as the ferry in Boone county, opposite Lawrenceburg, Indiana, is concerned; and it shall be lawful for the city of Lawrenceburg, Indiana, to purchase, hold, and operate said ferry, with all of its franchises; said sale and transfer to be made under the laws and in the manner prescribed by statute: *Provided, however*, That nothing in this act shall be construed to relieve the owners of said ferry, after the purchase herein permitted to be made, from liability under the ferry laws of this State, except so much thereof as is repealed by this act.

§ 2. That any process which may issue in any action begun in any court of this Commonwealth against the owners of said ferry and ferry franchises, for a violation of their bond, may be served upon any of the agents or employees of said owners, and such service shall have the same effect as though such service had been made upon such owners in proper person.

§ 3. This act shall take effect and be in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	James W. Hays,	G. W. Swoope,
F. L. Cleveland,	R. G. Hays,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Wm. Cassius Goodloe,	Robert Simmons,	George Wright—23.
Duncan Harding,	J. H. Stanley,	

Those who voted in the negative, were—

James Blackburn, S. H. Jenkins, Joseph B. Read—4.  
Robert A. Briggs,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Read, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act in aid of common school districts Nos. 62 and 67, Hopkins county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, J. M. Compton, Common School Commissioner of Hopkins county, failed to report fifty-eight children of district 62, and nine children of district No. 67, reported to him by the trustees of said districts ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred and thirty-one dollars and thirty-two cents be appropriated in aid of said districts, to be paid out of the interest due on the Hopkins county surplus bond, for the school year ending June 30th, 1877 ; and if this is not sufficient, out of the interest due for the 30th of June, 1878 ; and when the Commissioner of Hopkins county shall present his draft for said amount, properly certified and countersigned by the Superintendent of Public Instruction, the Auditor shall issue his warrant on the treasury in favor of J. M. Compton, Commissioner of Common Schools for Hopkins county, to be paid when said interest shall fall due.

§ 2. This act shall take effect from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	G. W. Swoope,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. W. Culbertson,	D. H. Lindsay,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
H. F. Finley,	Sumner Marble,	George Wright—27.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Leslie, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled



An act to incorporate the Union Library Association of the town of Union, Boone county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Philip Taliaferro, Joseph M. Wilson, Wm. H. Blanton, and Lute C. Norman, and their associates and successors, be, and hereby are, incorporated and created a body corporate, under the name and style of the Union Library Association, and by that title to have perpetual succession, with power to contract and be contracted with, to sue and be sued, complain and defend as individual persons, to acquire, hold, and convey property, both real and personal or mixed, and to make and enforce such constitution, by-laws and regulations, for the government of the association, as may be necessary or proper to carry out the object and purposes of the association, not incompatible with the Constitution and laws of this State or of the United States.

§ 2. The object of this Association shall be to obtain and keep for the use of its members and other persons, upon such terms as may be prescribed in the constitution and by-laws, books, pamphlets, pictures, publications, engravings, works of art, maps, philosophical apparatus or other things, which the board of trustees may direct, and may employ lecturers and cause courses of public lectures to be given, and may establish a Lyceum.

§ 3. All the property of this company shall be exempt from State, county, and municipal or other taxation. The stockholders shall not be individually liable for the contracts, liabilities, or debts of the association, but the stocks, privileges, rights, and properties, held and owned by said association in its corporate capacity, shall be liable for its contracts, debts, and liabilities.

§ 4. The capital stock, property, &c., of said association shall not exceed five thousand (\$5,000) dollars.

§ 5. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Turner, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James W. Hays,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	D. H. Lindsay,	H. A. Tyler,
Duncan Harding,	R. B. Lovel,	Thos. W. Varnon—21.

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	C. J. Walton,
Wm. J. Berry,	S. H. Jenkins,	George Wright—7.
Robert A. Briggs,		

*Resolved*, That the title of said bill be as aforesaid.



Mr. Lovel, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of B. T. Morris, of Carter county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized and directed to draw his warrant on the Treasurer in favor of B. T. Morris, of Carter county, for the sum of two hundred and twenty-nine dollars and fifteen cents, for his services in taking care of David S. Sellards, a pauper lunatic, by the appointment of the Carter county court, from the 12th day of August, 1872, till the 15th October, 1873, which sum shall be paid by the Treasurer out of any money in his hands not otherwise appropriated.

§ 2. That this act shall take effect and be in force from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—28.
Duncan Harding,		

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to fix the tax on real and personal estate at forty cents on the one hundred dollars in value thereof,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was then read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an annual tax of forty cents on each one hundred dollars of value of real and personal estate, directed to be assessed for taxation, due and payable the years assessed, shall be paid by the person or

owner assessed ; fifteen cents thereof shall be for the ordinary expenses of government, five cents for the use of the sinking fund, and twenty cents for the support of common schools.

§ 2. All laws in conflict with this act are repealed.

§ 3. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Jenkins and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	P. A. Lyon,	W. L. Vories,
James B. Garnett,	Sumner Marble,	C. J. Walton,
Wm. Cassius Goodloe,	Joseph B. Read,	George Wright—27.

Those who voted in the negative, were—

Robert A. Briggs,	D. H. Lindsay,	R. B. Lovel—4.
W. A. Cunningham,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to establish a criminal court in the fourteenth judicial district,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That there is hereby established in the counties of Mason, Fleming, Nicholas, Lewis, Rowan, and Greenup, in the Fourteenth Judicial District, a criminal court, to be known as the Criminal Court for the Fourteenth Judicial District, which said court shall be a court of record, and have all the jurisdiction in criminal and penal causes and proceedings which the circuit courts in this Commonwealth now have, or which may hereafter be conferred upon it by law. It shall take the place of the circuit courts of the said counties in such criminal and penal jurisdiction, and have concurrent jurisdiction with the circuit courts in inquests of lunacy and idiocy, and exclusive jurisdiction of the circuit courts in the allowance of claims against the State connected with the business of the said criminal court. The said court shall have a seal bearing its name and the arms of the Commonwealth.

§ 2. The said criminal court in said counties shall be held by a single judge, who shall have the same qualifications, and receive the same salary

as the circuit judges of this Commonwealth, to be paid him from the State Treasury, and in the same manner. He shall be a conservator of the peace, and have and exercise all the powers and authority of a circuit judge in criminal and penal causes and proceedings; may issue writs of *habeas corpus*, receive the returns therefor, and hear and determine the same as circuit judges are authorized to do. He shall have the same power to grant injunctions that circuit judges have under the provisions of the Civil Code. He shall be commissioned and sworn as circuit judges are commissioned and sworn, and be subject to impeachment and removal in like manner, and for like causes. His term of office shall be the same as circuit judges; and the first election shall be held in the said counties of Mason, Fleming, Nicholas, Lewis, and Greenup, on the third Monday in May next, for a criminal judge for said district, to hold his office until the next regular election for judge, and until his successor is elected and qualified; vacancies shall be filled in the office of said criminal judge in the same manner as is provided for the office of circuit judge; and the same practice and fees, as far as applicable, shall prevail in said criminal court as in the circuit courts.

§ 3. Sheriffs, jailers, coroners, and other ministerial officers of said counties, in said district, shall perform all the duties in all cases and proceedings in said criminal court, which would otherwise devolve upon them in the circuit courts; and they shall be entitled to the same fees therefor; and they and their sureties shall be responsible upon their official bonds for their acts and omissions in all matters pertaining to their duties as officers of the said court.

§ 4. The clerks of the circuit courts in the said counties of said district shall perform all the clerical duties of said criminal court, and shall style themselves, when so acting, the clerks of the criminal court for the county in which they may respectively be circuit court clerks, and shall be allowed the same fees they are entitled to for similar services in the circuit courts, and shall be with their sureties responsible upon their official bonds for the faithful discharge of their duties under this act. Immediately after the first day of June next, the clerks of the circuit courts in the several counties of the district shall transfer all criminal and penal causes then pending in their respective courts from the dockets of the circuit courts to the dockets of the criminal court; and said circuit courts shall no longer have cognizance of any criminal or penal causes, or pleas of the Commonwealth in said counties. The provisions of the law in relation to record books, presses, seals, stationery, and other expenses in the circuit courts, shall be and are now made applicable to the criminal court established by this act.

§ 5. All the powers and duties of the circuit judge and the circuit court, in relation to the trustees of the jury fund, are hereby transferred exclusively to the criminal judge and the criminal court in said counties; but nothing herein contained shall be so construed as to take from the circuit court the power to make provision for the payment of the jurors of the circuit court.

§ 6. All reports and returns required to be made to the circuit court, by circuit court clerks, county clerks, county court judges, justices of the peace, sheriffs, constables, marshals, and other civil officers and persons, having fines and forfeitures, or other funds in their hands belonging to the jury fund, shall be made exclusively to the criminal court; and all the powers and duties of the circuit court respecting the same are hereby transferred exclusively to the criminal court.



§ 7. Special judges for said criminal court may be elected or chosen for the same causes, and in the same manner in all respects, as they are authorized to be elected or chosen in the circuit courts; and the law in relation to the compensation of special judges in the circuit courts shall apply to special judges of said criminal court. The criminal court shall have the same power to grant licenses to practice law that the circuit courts have; and all the powers and duties of the circuit courts in the counties of the criminal district established by this act in relation to attorneys for the Commonwealth, are hereby transferred exclusively to the said criminal court.

§ 8. The said criminal court may extend any of its terms, if the business of the court requires it, and no other criminal court or circuit court in the same county interferes therewith, by making an order to that effect upon the record at a regular term while in session; and the court or judge may appoint special terms for any business of the court, in the same manner that circuit courts and circuit judges may appoint special terms of such courts. The said criminal court shall have all the power that circuit courts have to make rules and regulations to facilitate its business, and its judgments and final orders shall be subject to appeal in like manner as those of circuit courts in criminal cases. It shall have full power to punish for contempts of its authority in the manner now provided for by law for the circuit courts. The Commonwealth's attorney for said district shall attend each term of said criminal court, and represent the Commonwealth, and discharge all the duties, and be entitled to the same compensation as now provided by law, for attending the circuit courts.

§ 9. The laws in regard to the selection and summoning of grand and petit jurors, and the payment of jurors in the circuit courts, now in force, or which may hereafter be passed, shall be applicable to the criminal court established by this act; and the circuit court of the district at the term in each county next preceding the fourth Monday of May next, shall cause grand and petit jurors to be selected in the manner now provided by law for the first term of the criminal court in each county respectively; and the said circuit courts shall make all bail bonds and recognizances taken at such term for the appearance of parties or witnesses bound to appear, returnable to the first term of the criminal court; and all magistrates and examining courts in each county of the said criminal district shall, after the first term of the circuit court in their respective counties is over, make all bail and peace bonds and recognizances returnable to the criminal court of such county.

§ 10. The regular terms of said criminal court shall be held as follows: In the county of Mason, at the city of Maysville, commencing on the fourth Mondays of January, June, and November of each year, and to continue twelve juridical days.

In the county of Nicholas, at Carlisle, commencing on the third Mondays of February and August, and to continue for twelve juridical days.

In the county of Fleming, at Flemingsburg, commencing on the first Mondays of June and October, and to continue for twelve juridical days.

In the county of Lewis, at Vanceburg, commencing on the third Mondays of March and September, and to continue for twelve juridical days.

And in the county of Greenup, at Greenup, commencing on the first Mondays of January and October, and to continue for twelve juridical days.

And in the county of Rowan, commencing on the second Monday in April, and fourth Monday in October, and to continue twelve juridical days.



§ 11. In all cases of felony the clerk of the criminal court shall receive the same fees as are now allowed by law for similar services in civil cases; and at the end of each term he shall make out his fee bills against the Commonwealth, which shall be examined by the Commonwealth's attorney, and when approved by the court, shall be paid by the trustees of the jury fund.

§ 12. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
H. F. Finley,	P. A. Lyon,	C. J. Walton,
Duncan Harding,	Sumner Marble,	George Wright—27.

Those who voted in the negative, were—

James B. Garnett, S. H. Jenkins, H. A. Tyler—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Cunningham, from the Committee on Courts of Justice, reported.

A bill concerning fees of notaries public.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. R. G. Hays moved to lay said bill on the table.

Which motion was adopted.

Mr. Tyler, from the Committee on Education, to whom was referred leave to bring in bills, of the following titles, viz:

A bill to amend an act, entitled "An act directing the purchase of Collins' Historical Sketches of Kentucky;"

A bill to authorize and establish a system of public schools in the town of Carlisle;

A bill allowing Warren county to draw from the Treasury of the State the surplus school fund belonging to said county;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Mr. Read, from the Committee on Education, to whom was recommended

A bill to amend chapter 18, General Statutes, entitled "Common Schools,"

Reported the same with sundry amendments.

*Ordered*, That the further consideration of said bill and proposed amendments be postponed and made the special order of the day, to be considered in Committee of the Whole, on Saturday next, the 4th inst., at 10 o'clock, A. M.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Leslie, from the Committee on Claims—

1. An act for the benefit of W. F. Austin, committee for W. P. Austin, a pauper idiot, of Barren county.

By Mr. Lovel, from the Committee on Claims—

2. An act authorizing the appointment of commissioners to ascertain and re-mark the line between the counties of Fayette and Scott.

By Mr. Cunningham, from the Committee on Courts of Justice—

3. An act for the benefit of John H. McHargue.

By same—

4. An act to continue in force an act, entitled "An act authorizing the county court of Washington county to increase the county levy," approved January 22, 1874.

By same—

5. An act to repeal an act, entitled "An act to print sheriffs and master commissioner's advertisements of land sales in Owen county in the paper printed in said county."

By same—

6. An act to legalize certain acts of the Boone county court.

By same—

7. An act for the benefit of the clerks of the Union and Crittenden circuit courts.

By same—

8. An act to authorize the county court of Webster county to issue bonds, and to levy a tax to pay the same.

By same—

9. An act to define the jurisdiction of the police judge of the town of Cromwell, Ohio county.

By same—

10. An act to further amend the several acts in relation to the town of Carlisle, in Nicholas county.

By Mr. Barker, from the Committee on Internal Improvement—

11. An act to amend an act, entitled “An act to incorporate the Stony Point and Lemand’s Mills Turnpike Road Company, of Bourbon county.”

By Mr. Tyler, from the Committee on Courts of Justice—

12. An act to authorize the judge of the Mason quarterly court to appoint the clerk of said court.

By same—

13. An act to amend the charter of the town of Glennville, in Adair county, approved March 25, 1872.

By Mr. Leslie, from the Committee on Education.

14. An act to authorize the president and faculty of Cottage Home College to confer learned degrees.

By Mr. Tyler, from the Committee on Courts of Justice—

15. An act for the benefit of S. I. M. Major and Waller Overton.

By Mr. Read, from the Committee on Education—

16. An act for the benefit of common school district No. 28, of Metcalfe county.

By same—

17. An act for the benefit of common school district No. 22, Webster county.

By same—

18. An act to incorporate the Avery Institute.

By same—

19. An act for the benefit of common schools in Grayson county.

By same—

20. An act for the benefit of the Caldwell Female Institute, of Danville, Kentucky.

By same—

21. An act to amend the common school law.

By same—

22. An act to incorporate the Zoological Garden Association, of Jefferson county.

By Mr. Walton, from the Committee on Education—

23. An act for the benefit of the common school commissioners of Hopkins county.

By same—

24. An act to incorporate the Breckinridge Literary and Library Association of Owingsville, Bath county.

By same—

25. An act for the benefit of George W. Murphy, of Hopkins county.

By Mr. Tyler, from the Committee on Education—

26. An act for the benefit of common school district No. 8, of Powell county.

By same—

27. An act for the benefit of common school district No. 30, in McLean county.

By same—

28. An act for the benefit of Jane A. Philips, of Jefferson county.

By Mr. R. G. Hays, from the Committee on Finance—

29. An act to empower the trustees of the jury fund of Henderson county to restore to the city of Henderson, out of any funds coming to his hands as trustee, certain moneys due to said city.

By Mr. Tyler, from the Committee on Education—

30. An act to repeal an act, entitled "An act to print sheriffs and master commissioner's advertisements of land sales in Carroll county in the paper printed in said county.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That the 15th of said bills be committed to the Committee on the Judiciary; the 21st be printed and placed in the orders of the day, and the others be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tyler, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to empower John D. Manning, judge of Adair county court, to appoint a deputy of his court,

Reported the same, with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.



So said bill was disagreed to.

Mr. Read, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act authorizing the trustees to sell and appropriate the seminary lands of Laurel county, approved March 10, 1856,

Reported the same, with the expression of opinion that said bill ought not to pass.

The question was then taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, and it was decided in the negative.

So said bill was disagreed to.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to protect sheep and dogs in the counties of Ballard, Henry, and other counties,

With an amendment thereto.

Which was taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz :

An act for the benefit of T. A. McGill, late sheriff of Breckinridge county.

An act for the benefit of Calloway county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance, and the 2d to the Committee on Courts of Justice.

Leave was given to bring in the following bills, viz :

On motion of Mr. Turner—

A bill, entitled "An act to amend the act incorporating the Winchester and Kentucky River Turnpike Road Company."

On motion of Mr. Swoope—

A bill to regulate the trial of civil actions and penal prosecutions in the Daviess circuit court.

*Ordered*, That the Committee on General Statutes prepare and bring in the first, and the Committee on Revised Statutes the second.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Simmons, from the Committee on the Judiciary—

A bill for the benefit of the Independence and Colemansville Turnpike Road Company.

By Mr. Barker, from the Committee on Internal Improvement—

A bill to incorporate the Estill Mining and Lithographic Company.

By Mr. Culbertson, from the Committee on Internal Improvement—

A bill to incorporate the Jersey Ridge Turnpike Road, in Mason county.

By Mr. Brown, from the Committee on Internal Improvement—

A bill for the benefit of the Moorfield and Upper Blue Lick Turnpike Road Company.

By Mr. Lovel, from the Committee on Propositions and Grievances—

A bill to reduce into one and amend the act and amendatory acts incorporating the city of Ashland.

By same—

A bill empowering the board of trustees of the town of Catlettsburg, in Boyd county, to sell and convey lot No. 37, in said county.

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of A. H. Hogan, sheriff of Boyd county.

By Mr. R. G. Hays, from the Committee on Finance—

A bill to amend an act to regulate the sale of medicines and poisons, approved February 21, 1874.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named bill be recommitted to the Committee on Finance, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

1. An act to incorporate the Richmond Hotel Company.

By Mr. Brown, from the Committee on Internal Improvement—

2. An act for the benefit of the Headquarters and Steel's Run Turnpike Road Company.

By Mr. Culbertson, from the Committee on Internal Improvement—

3. An act to amend the charter of the Orangeburg and Tollsboro Turnpike Road, in Mason county.

By Mr. Harding, from the Committee on Religion and Morals—

4. An act to incorporate Mount Tabor Church and Burial Grounds, in Lewis county,

By Mr. Barker, from the Committee on General Statutes and Codes of Practice—

5. An act to repeal an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869, so far as the same applies to the county of Floyd.

By Mr. Barker, from the Committee on the Judiciary—

6. An act to incorporate the Troublesome Creek Boom Company, in Breathitt county.

By Mr. Stanley, from the Committee on Religion and Morals—

7. An act to authorize the Owen county court to sell the poor-house in that county.

By Mr. Hodge, from the Committee on Railroads—

8. An act to incorporate the Flemingsburg Railway Company.

By Mr. Brown, from the Committee on Internal Improvement—

9. An act to amend an act to incorporate the Elizaville Station and Mayslick Turnpike Road Company.

By Mr. Marble, from the Committee on Banks and Insurance—

10. An act to incorporate the State Bank in Louisville.

By Mr. Varnon, from the Committee on General Statutes and Codes of Practice—

11. An act for the benefit of the Louisville Water-works.

*Ordered*, That the 6th of said bills be placed in the orders of the day ; the 11th be recommitted to the Committee on General Statutes and Codes of Practice, and the others be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Barker, from the Committee on Internal Improvement, to whom was referred a bill from the House of Representatives, entitled,

An act to amend the charter of the Kenton Station Turnpike Road Company, in Mason county,

Reported the same without amendment.

Mr. Barker proposed an amendment to said bill.

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, entitled

An act to incorporate the Edna Lead and Silver Mining and Manufacturing Company.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky.* That R. N. Barbour, W. B. Hoke, C. H. Wolford, William H. Cropper, C. Ketchum, Daniel Lane, John C. Walker, A. E. Wolford, Casandre Cropper, their associates, successors, and assigns, are hereby created and constituted a body corporate and politic, by the name and style of the "Edna Lead and Silver Mining and Manufacturing Company," and as such made capable in law as natural persons to contract and be contracted with, to plead and be impleaded, in all courts of law or equity in this State or elsewhere, and such other acts as a corporate body may lawfully do; to have a common seal; to make by-laws; regulate and alter the same for the government and transaction of its business, not inconsistent with the constitution and laws of this State and United States.

§ 2. The capital stock of said company shall be five hundred thousand dollars, divided into shares of one hundred dollars each, and the company may commence its business operations, procuring supplies, machinery, furnaces, tools, &c., improving and working their mines, at once; and so



soon as twenty-five thousand dollars shall have been subscribed for stock, ten thousand dollars of which being paid in, upon thirty days' notice thereafter being given through one of the newspapers published in the city of Louisville, Kentucky, the incorporators may proceed to the organization of their company.

§ 3. They may declare forfeited any stock on which regular calls are not paid, and may sell so much of the same as will pay said calls, and no more. Said company may hold, by purchase or otherwise, real estate, not exceeding two hundred and fifty thousand dollars, independent of, and over and above whatever amount they may have invested in mineral and mining lands, from time to time; also said company may build boats or other things necessary for the prosecution of its business; with power to explore, mine, and dig for oil, coal, salt water, iron, lead, silver, and gold, and manufacture the same or the product of any oil, mineral, or agricultural products; with power to build roads, houses, and any or all other things necessary and needful for its business, and to buy and sell the same, or any portion thereof, at pleasure.

§ 4. The stockholders shall elect or appoint annually a board of directors of not less than seven nor more than nine (9), from whom shall be chosen three of their number to transact the general business of the company or corporation, to-wit: A president, vice president, and secretary, the latter of whom to act as sub or *ex-officio* treasurer, and chief or principal financial agent of the company, keeping its books, accounts, and papers, which are at all times to be subject to the inspection of the board of directors; but the failure to elect or appoint such officers at an annual or regular election shall not forfeit the privileges herein granted.

§ 5. The company may borrow or loan money by issuing its bonds or otherwise, for not exceeding two hundred thousand dollars, and by paying or charging therefor any rate of interest not exceeding ten per cent. per annum. The stock shall be personal property, and transferable in such manner as the directors may determine. The company may open offices anywhere in this State or elsewhere they may deem necessary; and until formally organized, as provided in section four of this charter, the office of president, vice president, and secretary may be represented by three of the incorporators, to-wit: W. H. Cropper, president *pro tem.*, Daniel Lane, vice president *pro tem.*, and C. H. Wolford, secretary *pro tem.*, in order to carry out more fully, speedily, and successfully the objects and intentions of the body of incorporators.

§ 6. This charter shall be in force and continue for thirty years. The company shall keep an agent and office in this State.

§ 7. This act shall take effect and be in force from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Swoope, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,

Andrew J. Ewing,  
H. F. Finley,

R. B. Lovel,  
P. A. Lyon,

Thos. W. Varnon,  
George Wright—24.

Those who voted in the negative, were—

Wm. J. Berry,  
S. H. Jenkins,

G. W. Swoope,

C. J. Walton—4.

*Resolved*, That the title of said bill be as aforesaid.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to regulate the holding the court of claims in Pulaski county.

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Finley then moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of the passage of a bill, which originated in the Senate, entitled

An act to regulate and fix the times for holding circuit courts in the 4th judicial district, and the counties of Logan and Butler.

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Lyon then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was adopted.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was rejected.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was recommitted a bill, which originated in the House of Representatives, entitled

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto, Reported the same without amendment.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

FRIDAY, MARCH 3, 1876.

Hon. John C. Underwood, Lieutenant Governor, appeared and took the chair.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Farmers and Traders' Bank of Lexington, Kentucky.

An act to incorporate the Farmers' Home Mutual Aid Association, of Fleming county.

An act for the benefit of Samuel Cecil, of Clinton county.

An act to incorporate the town of Cherry Hill, in Trigg county.

An act to incorporate the Mouth of Tate's Creek Turnpike Road Company.

An act to amend an act to incorporate the Danville, Lancaster, and Nicholasville Turnpike Road Company.

An act for the benefit of S. S. Johnson, late sheriff of Warren county.

An act to authorize the county court of Hancock county to levy an additional ad valorem tax of twenty cents on the one hundred dollars.

An act to amend an act, entitled "An act to amend the charter of the Louisville Banking Company, of the city of Louisville."

An act for the benefit of T. C. Gillenwaters, committee for Sarah T. Morrison, a pauper idiot, of Barren county.

An act to enable the people of Jessamine county to vote a tax on themselves to build a new court-house in said county.

An act for the benefit of Seymour H. Perkins, clerk of the Todd county court.

An act to change the time of holding the Union circuit court.

An act for the benefit of G. P. Jolly, late sheriff of Breckinridge county.

An act to amend an act to incorporate the town of Greenville, and give concurrent jurisdiction with police judge to county judge and justices of the peace.

An act to change the time of holding the county and quarterly courts for Lincoln county.

An act for the benefit of George W. Sweeney, late sheriff of Casey county.

An act to amend the charter of the town of Rockport, Ohio county.

An act for the benefit of the Lawrenceburg and Shryock's Ferry Turnpike Road Company.

An act to amend the charter of the Odd Fellows' Insurance Company of Kentucky.

An act to amend an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district," approved February 23, 1876.

An act for the benefit of C. W. Hull, deputy jailer of Kenton county.

An act for the benefit of Charles Breedin, of Gallatin county.

An act to amend an act, entitled "An act to amend an act to incorporate the Second Presbyterian Church of the city of Louisville."

An act for the benefit of James McGuire, of Russell county.

An act for the benefit of Richard Hackley, elisor of the Garrard circuit court.

An act to incorporate the State Grange of the Patrons of Husbandry of Kentucky.

An act to declare Cane creek, in Breathitt county, a navigable stream from its mouth to the mouth of Seward's branch.

An act for the benefit of Daniel McCullom, jr., appropriating him \$87 50.

An act for the benefit of Garfield McCormack, of Lawrence county.

An act for the benefit of E. G. Davidson, of Clinton county.

An act to empower the county court of Henry county to levy an ad valorem tax of fifteen cents on the one hundred dollars for county purposes.

An act to amend the charter of the city of Paducah.

An act for the benefit of common school district No. 35, Rockcastle county.

An act to incorporate the Lexington Gas Company, of Lexington, Kentucky.

Resolution providing that resolution No. 36 shall take effect from the passage of this resolution.



That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to prevent trespass in Christian county.

An act to incorporate the South Covington Fair and Trotting Park Association.

An act to regulate the time of holding circuit courts in certain counties in the ninth judicial district.

An act for the benefit of Mrs. E. J. Peers, an adjudged lunatic.

An act for the benefit of Stephen Gibson, late sheriff of Clay county, giving him the further time of six months in which to make out and return his delinquent list for the years 1872 and 1873.

An act to amend the charter of the town of New Columbus, in Owen county.

An act to authorize the city of Lawrenceburg, Indiana, to purchase ferry in Boone county, opposite said city.

An act for the benefit of B. B. Mullens, ex-sheriff of Pendleton county.

An act for the benefit of G. W. Baker, late sheriff of Jackson county.

An act to amend the act approved 7th December, 1850, entitled "An act to incorporate the Kentucky Agricultural and Mechanical Association at Lexington.

That they had passed bills of the following titles, viz :

1. An act requiring the county court of Jefferson to appoint a measurer of wood, stave timber, lumber, hoop-poles, and staves.

2. An act for the benefit of the sheriff of Calloway county.

3. An act to increase the jurisdiction of the police judge of Morgantown.

4. An act to provide for a re-survey of the town of California, in Campbell county.

5. An act to change the corporate name of Swift's Iron and Steel Works.

6. An act to incorporate the Dimmick Fire Plate Heater Company.

7. An act to amend the charter and laws of the town of Bellview, in Campbell county.

8. An act for the employment of teams on the public roads in Carroll county.

9. An act to amend an act, entitled "An act to establish a police judge in the town of Carrollton."

10. An act for the relief of H. D. Polen, late sheriff of Elliott county, and his sureties.

11. An act to authorize the county court of Elliott county to levy an ad valorem tax for bridge and road purposes.

11. An act to amend the charter of Petersburg and Burlington Turnpike Road.

13. An act for the benefit of A. B. Gilbert, sheriff of Owsley county.

14. An act refunding certain moneys to persons entering land warrants west of the Tennessee river.

15. An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State.

16. An act to amend an act, entitled "An act to incorporate the Winchester, Colbyville, and Lexington Turnpike Road Company."

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 3d, 9th, and 11th to the Committee on Courts of Justice; the 2d, 10th, and 13th to the Committee on Finance; the 4th to the Committee on Propositions and Grievances; the 5th and 6th to the Committee on Agriculture and Manufactures; the 7th and 14th to the Committee on the Judiciary; the 8th and 12th to the Committee on Internal Improvement; the 15th to the Committee on Charitable Institutions, and the 16th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The following petition was presented, viz:

By Mr. Barker—

Petition of sundry citizens of Taylorsville, in Spencer county, praying the passage of an act resubmitting to the voters of said town the question as to the adoption of the local option law.

Which was received, the reading dispensed with, and referred to the Committee on Religion and Morals.

On motion of Mr. R. G. Hays, leave of absence, indefinitely, was granted Messrs. Hyden, Varnon, Finley, and J. W. Hays.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had passed a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Mt. Sterling Coal Road Company."

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act requiring the Court of Appeals to hold its sessions in the city of Louisville.

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had disagreed to a bill, which originated in the House of Representatives, entitled

An act to regulate the holding the court of claims in Pulaski county.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

*Ordered*, That said bill be committed to the Committee on the Judiciary.

Mr. Goodloe, from the select committee to whom was referred the affidavit of F. P. Byrne and charges against Hon. George B. Hodge, Senator from the Twenty-fifth District, made the following report, viz:

MR. SPEAKER: The committee to whom was referred the complaint of Mr. John Byrne, as set forth in an affidavit signed and sworn to by Mr. F. P. Byrne, against Senator George B. Hodge, of the county of Campbell, have had the same under consideration, and would respectfully report:

The committee, immediately upon organization, notified Mr. Byrne and Senator Hodge that they, and any parties whom they desired, would be heard. There appeared before the committee (at the request of Mr. John Byrne) Messrs. F. P. Byrne and J. R. Hallam, whose evidence, together with that of Mr. John Byrne, is given at length, and filed herewith. At the request of Senator Hodge, there appeared also before the committee Messrs. J. N. Roff, Jesse Arthur, Senator R. B. Lovel, and

James Taylor, whose evidence, with that of Senator Hodge, is with the accompanying papers. The committee had every witness examined that Mr. Byrne desired. Senator Hodge asked for several witnesses, whom the committee refused to call, for the reason that their testimony was considered irrelevant. We have allowed the witnesses the largest latitude, and did not confine them to strict rules of evidence, believing the province of the committee to be to obtain the whole truth. Mr. John Byrne and Senator Hodge were present during the examination of every witness. The testimony was closed only after both parties stated they had nothing further to offer. Since, however, Mr. John Byrne has corrected a portion of his testimony, Mr. Arthur has added somewhat to his, and Senator Hodge has made a statement, all of which, together with every word of evidence taken, and all papers pertaining to the case in the possession of the committee, are herewith transmitted to the Senate, accompanying and making a part of this report.

Stripping the entire evidence of all verbiage and surplusage, the committee find—

1st. The words imputed to Senator Hodge were, in substance, used, but only in badinage.

2d. Their intent and meaning, in view of all the facts, were neither criminal nor dishonorable.

The committee, in asking to be discharged, offer for the consideration of the Senate this resolution, viz :

*Resolved*, That the confidence of this body in the personal integrity of the Senator from Campbell is unchanged; our faith in his inability to abuse his official trusts is undiminished.

WM. CASSIUS GOODLOE, *Ch'n*,  
J. W. HAYS,  
H. A. TYLER,  
THO. J. BARKER,  
H. F. FINLEY,  
JAMES BLACKBURN,  
W. A. CUNNINGHAM.

And the question being taken on the adoption of said report, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	C. N. Pendleton,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	G. W. Swoope,



Scott Brown,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. W. Culbertson,	D. H. Lindsay,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	W. L. Vories,
P. F. Edwards,	P. A. Lyon,	C. J. Walton,
Andrew J. Ewing,	Sumner Marble,	George Wright—34.
James B. Garnett,		

In the negative—none.

The Senate, according to order, took up for consideration a message in writing from the Governor.

Said message reads as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, February 29, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice and consent the following named persons, to be appointed Commissioners for the term prescribed by law :

William Hughes, John Sherley, and Edward D. Hobbs, members of the Board of Commissioners of Central Lunatic Asylum.

Phil. P. Johnston, J. S. Woolfolk, and Dr. William Atkins, members of the Board of Commissioner of the First Kentucky Lunatic Asylum.

Samuel G. Beckner, George O. Thompson, and John M. Mills, members of the Board of Commissioners of the Second Lunatic Asylum.

Dr. T. S. Bell, William Kendrick, and Gavin H. Cochran, members of the Board Commissioners of Kentucky Asylum for the Education of the Grant Green, Green Clay Smith, and James W. Tate, members of the Board of Commissioners of Kentucky Institution for the Education and Training of Feeble-minded Children.

I also nominate for your advice and consent Buford T. Wood, M. D., of Washington county, for appointment as Assistant Physician of the Kentucky Institution for the Education of Feeble-minded Children, to fill the vacancy occasioned by the death of Dr. Waller Chenault.

JAMES B. McCREARY, *Governor.*

*Resolved*, That the Senate advise and consent to said nominations.

Mr. Tyler, from the Committee on the Judiciary, to whom was referred a resolution from the House of Representatives, entitled

Resolution in reference to expired lottery franchises,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

*Resolved*, That the title of said resolution be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, to whom was referred the petition of sundry citizens of Warren county, praying the passage of an act for the benefit of said county,

Asked to be discharged from the further consideration thereof.

And the question being taken thereon, it was decided in the negative.

*Ordered*, That the Committee on Finance prepare and bring in a bill in accordance with the prayer of said petition.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill for the benefit of Warren county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby directed to draw his warrant on the Treasurer in favor of the county judge of Warren county for the sum of fifteen hundred dollars, for the use of the county, out of any money in the Treasury not otherwise appropriated, to reimburse said county for money paid by said county as salary to the common pleas judge, under act approved 10th March, 1869.

§ 2. This act to take effect and be in force from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative, not having received the majority required by the Constitution.

The yeas and nays being required thereon in pursuance to a provision of the Constitution; were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	G. W. Swoope,
Wm. Cassius Goodloe,	R. B. Lovel,	George Wright—15.

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton—12.

So said bill was rejected.

Mr. Cunningham moved to reconsider the vote by which the Senate had rejected said bill.

Which motion was simply entered.

Mr. Wright, from the Committee on Finance, to whom was referred a resolution from the House of Representatives, entitled

Resolution to provide for revision of the revenue laws,

Reported the same, with the expression of opinion that said resolution ought not to be concurred in.

And the question being taken on concurring in the adoption of said resolution, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said resolution was disagreed to.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to incorporate the Louisville Construction Company.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John Hay, L. P. Meyer, George McLeod, John McLeod, John McAteer, Nathan Bloom, John L. Wheat, Bernard Cassidy, and their associates and successors, are hereby created a body-politic and corporate, by the name and style of the Louisville Construction Company; and by that name may sue and be sued, contract and be contracted with, and do any and all acts which a corporation incorporated for similar purposes may or can do in the fulfillment of its charter and the object and ends of its organization; may have a common seal, which may be altered or changed at the pleasure of the company; may render the shares of stockholders transferable, and prescribe the mode of making such transfer; may exempt private property of stockholders from liability for corporate debts; may acquire and transfer property, possessing such powers in such respects as individuals now enjoy; and may establish such by-laws and rules as may be deemed expedient for the management of the affairs of said corporation.

§ 2. The principal place of business of said corporation shall be in the city of Louisville, in this State; but branch offices may be established elsewhere.

§ 3. The general nature of the business of said corporation shall be the construction of railroads, bridges, canals, and other works of internal improvement in this State and elsewhere, and to erect and carry on foundries and manufactories for manufacturing materials and implements to be used in the construction and building of such work as such corporation may undertake; but no right of eminent domain is herein granted.

§ 4. The capital stock of said company shall be three hundred thousand dollars (\$300,000), in shares of one hundred dollars each, and shall be deemed personal property. The corporators herein named, or a majority of them, may open a book and receive subscriptions to the capital stock of said corporation, and when twenty-five thousand dollars (\$25,000) of *bona fide* subscriptions shall have been secured and paid in, the corporation may proceed to business in its corporate capacity.

§ 5. The management of the stock, property, and prudential affairs of said corporation shall be controlled by a board of nine directors, to be chosen for one year by the stockholders; and each stockholder shall have one vote for each share of stock owned by him. A president and secretary shall be elected annually by the directors, and the president and directors shall each be the owner of at least five shares of stock unencumbered. The election of the directors by the stockholders, after this current year, shall take place on the first Tuesday in March of each year; and the president and secretary shall be elected on the second Tuesday in

March of each year; but if, from any cause, no election shall be had, the directors and president shall hold office until their successors are qualified, and another day may be named for the election of directors by publication in two daily newspapers in the city of Louisville ten days. The directors may appoint such other officers, agents, and employees as they may deem proper. A majority of the directors shall constitute a quorum.

§ 6. The president and directors may make such by-laws as they may deem proper in regard to the time, places, and manner of holding elections; the transfer of stock; the forfeiture thereof for non-payment; the time and manner of payment; the duties of officers, agents, and employees; their authority and powers; filling vacancies in offices; the character, kind, and amount of business, and such other by-laws, rules and regulations, as may be necessary for the proper prudential and effective management of the affairs of said corporation: *Provided*, The same are not repugnant to this, the Constitution and laws of this State, or the United States.

§ 7. This act shall take effect from its passage: *Provided*, That the private and personal and real estate of the members of said company shall always be liable for all contracts of said company.

Mr. Swoope moved to amend said bill as follows, viz :

Strike out of section six these words: "The transfer of stock, the forfeiture thereof for non-payment."

Mr. Vories then moved to amend said bill by adding the following proviso to the fourth section thereof, viz :

"*Provided*, That the private personal and real estate of said company shall always be liable for all contracts of said company."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Vories and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	J. H. Stanley,
Wm. J. Berry,	Duncan Harding,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	W. L. Vories,
F. L. Cleveland,	D. H. Lindsay,	C. J. Walton—20.
W. A. Cunningham,	R. B. Lovel,	

Those who voted in the negative, were—

Robert A. Briggs,	Sumner Marble,	H. A. Tyler,
W. W. Culbertson,	Joseph B. Read,	Thos. W. Varnon,
Wm. Cassius Goodloe,	Robert Simmons,	George Wright—10.
R. G. Hays,		

Mr. Swoope then moved to amend said bill by striking out of the 6th section thereof the words "the transfer of stock, the forfeiture thereof, for non-payment."

Which was adopted.



*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. R. G. Hays, from the Committee on Finance, to whom was recommitted

A bill to amend an act to regulate the sale of medicines and poisons, approved February 21st, 1874,

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Varnon, from the Committee on Privileges and Elections—

1. A bill to amend the charter of the town of Hustonville.

By same—

2. A bill to amend the charter of the town of Stanford.

By Mr. Jenkins, from the Committee on Internal Improvement—

3. A bill to change the location of a part of the turnpike road between Stanton and Crab Orchard.

By Mr. Lindsay, from the Committee on Religion and Morals—

4. A bill to regulate the sale of spirituous liquors in the town of Watkinsville, or within two miles thereof.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

5. A bill directing and authorizing the clerk of the Daviess circuit court to docket common law causes and criminal and penal cases pending, or which shall be hereafter pending, in the Daviess circuit court.

By same—

6. A bill for the benefit of the German American School Association of Owensboro.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to incorporate Melton Park, Kenton county.

By Mr. R. G. Hays, from the Committee on Finance—

8. A bill for the benefit of Jonathan Russell, sheriff of Casey county.

By Mr. Wright, from the Committee on Finance—

9. A bill for the benefit of Stephen Gibson, former sheriff of Clay county.

By same—

10. A bill incorporating the Supreme Lodge of the Knights of Honor.

By same—

11. A bill to prevent frauds upon travelers on railroads and other conveyances.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 9th of said bills be placed in the orders of the day; the 11th be committed to the Committee on the Judiciary, and the others be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Varnon, from the Committee on Privileges and Elections—

1. An act to increase the county levy of Boyle county.

By Mr. Garnett, from the Committee on the Judiciary—

2. An act to repeal the charter of the town of Corydon, Henderson county, and reincorporate the same.

By same—

3. An act to amend the charter of Owingsville, Bath county.

By Mr. Tyler, from the Committee on the Judiciary—

4. An act to amend the charter of the city of Louisville, and directory to the Board of Commissioners of Public Charities of said city.

By Mr. Cunningham, from the Committee on the Judiciary—

5. An act regulating the duties of trustees, &c., in certain cases.

By same—

6. An act to regulate the purchase or sale of scrap-iron, old metals, or second-hand furniture, in certain counties in this State.

By Mr. Cunningham, from the Committee on Courts of Justice—

7. An act to authorize the county court of Boone county to sell and convey the old jail lot.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

8. An act to charter the Barren River Bridge Company.

By Mr. Simmons, from the Committee on the Judiciary—

9. An act to amend an act, entitled "An act to provide an additional voting precinct in Cumberland county," approved March 16, 1870.

By Mr. R. G. Hays, from the Committee on Finance—

10. An act to amend the revenue laws, and to re-enact certain sections of chapter 2060, Session Acts of 1869, entitled "An act to amend the revenue laws," approved 15th March, 1869.

By same—

11. An act for the benefit of Charles Wickliffe, late sheriff of Muhlenburg county.

By same—

12. An act in relation to the county levy of Union county.

By same—

13. An act for the benefit of S. S. Faris, former sheriff of Barren county.

By same—

14. An act for the benefit of Thomas Ballou, of Pulaski county.

By same—

15. An act for the relief of the sheriff of Ballard county.

By same—

16. An act for the benefit of the assessor and clerk of Gallatin county.

By same—

17. An act for the benefit of the sheriff of Allen county.

By Mr. Ewing, from the Committee on Finance—

18. An act for the benefit of Wm. Thomas, sheriff of Lee county.

By Mr. Wright, from the Committee on Finance—

19. An act for the benefit of G. W. Pickett, of Adair county.

By same—

20. An act to give the assessor further time to list the property in McLean county.

By Mr. R. G. Hays, from the Committee on Finance—

21. An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

By Mr. Leslie, from the Committee on Courts of Justice—

22. An act to amend article 2, chapter 33, General Statutes, for the benefit of Metcalfe county.

By Mr. R. G. Hays, from the Committee on Finance—

23. An act for the benefit of George E. Johnston, sheriff of Taylor county.

With amendments to the last two named bills.

Which were adopted.

*Ordered*, That said bills, the last two as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Brown moved to reconsider the vote by which the Senate passed the 21st of said bills.

Which motion was simply entered.

Leave was given to bring in the following bills, viz :

On motion of Mr. Vories—

1. A bill to amend chapter 22 of the General Statutes.

On motion of Mr. Simmons—

2. A bill to amend the charter of the city of Ludlow.

*Ordered*, That the Committee on General Statutes prepare and bring in the 1st, and the Committee on the Judiciary the 2d.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to incorporate the Cleveland Orphan Institution," approved March 17th, 1870;



An act to amend the charters of the Midway and Elkhorn and Scott County and Elkhorn and Midway and Scott County Turnpike Road Companies;

An act to repeal ninth section of an act to amend the charter of the city of Bowling Green, approved 23d day of February, 1874;

An act to incorporate the Green River Female Seminary;

An act to extend the town limits of the town of Morgantown, Butler county;

An act to amend an act, entitled "An act to amend an act reducing into one the several acts in relation to the town of Taylorsville;"

An act to amend the charter of the Masonic Mutual Benefit Association, of Maysville;

An act to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways;"

An act for the benefit of Thomas Shanks, sheriff of the county of Jefferson;

An act to authorize the trustees of Brandenburg to sell and convey real estate lying in the corporate limits of said town;

An act to authorize the county court of Pulaski county to sell ground and purchase a new site for a jail;

An act to amend an act, entitled "An act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same," approved March 29, 1873;

An act to amend an act establishing a new charter for the city of Louisville, approved March 3, 1870;

An act to guard against the abuses of the elective franchise by requiring registration of votes in the city of Louisville;

Resolution touching Patterson's forms for county officers;

Also enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of A. C. Thomas and Simon Humphreys, sheriffs of Nelson county;

An act in relation to the sale of spirituous, vinous, and malt liquors in the town of Foster, in Bracken county;

An act to amend the charter of the Kentucky Female Orphan School;

An act for the benefit of David Pryse, of Lee county;

An act for the benefit of Wm. D. Berry, of Hickman county;

An act for the benefit of Hickman county;

An act to change the time of holding the February term of the Henderson quarterly court;

An act to consolidate the Louisville, Harrod's Creek, and Westport Railway Company with the Louisville and Covington Railway Company;

An act for the benefit of W. D. Rucker, of Green county;

An act for the benefit of John E. Abbott, sheriff of Hart county, and to authorize the Auditor to settle with him, and credit him by certain sums on certain judgments;

An act for the benefit of Richard H. Collins;

An act for the benefit of W. P. Fox, jailer of Knox county;

An act for the benefit of C. K. Oldham, late sheriff of Madison county;

An act to regulate elections for directors and other officers of private corporations;

An act giving the police judge of Paradise, Muhlenburg county, concurrent jurisdiction with justices of the peace;

An act to empower the court of claims of Shelby county to levy an ad valorem tax, and to legalize the ad valorem levies of 1873-'4-'5;

An act to incorporate the Patrons' Co-operative Association, of Simpson county;

An act to repeal an act, entitled "An act to regulate the pay of members of the court of claims of Todd county;"

An act to confer additional powers upon the county court of Barren county;

An act to change the time of holding quarterly courts in Anderson county;

An act to repeal several acts increasing the jurisdiction of quarterly and justices' courts in the county of Anderson;

An act to amend an act, entitled "An act to amend the charter of the Glasgow Railroad Company," approved February 23, 1874;

An act for the benefit of George F. Green, of Bath county;

An act regulating the rates of tolls on the Paris and North Middletown Turnpike Road;

An act to amend an act, entitled "An act to amend an act to incorporate the Louisville Orphans' Home Society;"

An act to incorporate the Centennial Building and Savings Association, of Covington, Kentucky;

An act to incorporate the Bank of Woodford, at Versailles, Kentucky;

An act to amend an act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county, approved March 16, 1869;

An act to incorporate the Farmers' Deposit Bank of Cynthiana;

An act to legalize certain orders and proceedings of the Larue county court;

An act for the benefit of school district No. 35, of Hickman county;

An act for the benefit of George T. Price, sheriff of Logan county;

An act to incorporate the Prentice Club of Louisville, Kentucky;

An act to amend an act incorporating the Odd Fellows' Mutual Life Insurance Association, of Louisville, Kentucky;

An act concerning judicial sales of the property and franchises of railroad and turnpike corporations;

An act to revise and amend the charter of the city of Dayton, in Campbell county;

An act to incorporate the Green River Iron and Coal Company;

An act to legalize acts of the McCracken county judge, and to authorize him to sell real property purchased by the court;

An act to incorporate the Pendleton County Mutual Aid Association;

An act for the benefit of the administrator of J. L. Stubbs, late clerk of the Lyon county court;

An act to legalize the proceedings of the Christian county quarterly court begun and held on the fourth Monday in January, 1876;

An act to authorize the voters of Mayfield to vote upon the question of prohibiting the sale of spirituous liquors, &c., in said city;

An act to amend an act, entitled "An act to incorporate the New Castle and Carrollton Turnpike Road Company ;"

An act concerning Mill Creek and its tributaries, in Jefferson county;

An act to incorporate the Forest Retreat and Panther Creek Turnpike Road Company, in Nicholas county;

An act for the benefit of colored common schools in Trimble county;

An act to amend the charter of the South Carrollton Academy Muhlenburg county;

An act to legalize the order of the board of trustees of Glasgow in subscribing \$1,000 to aid in building the Baptist Female College of Liberty Association of Kentucky, at Glasgow, and issuing a bond in payment of said subscription;

An act to authorize the Franklin county court to issue bonds for the aid of turnpike roads and other purposes;

An act to change the time of electing trustees, &c., of the town of Barbourville;

An act to amend the charter of the town of Campbellsville;

An act to incorporate the town of Whitesburg, in Letcher county;

An act to amend an act, entitled "An act to incorporate the Minett Orphan Asylum of the city of Louisville," approved April 21, 1873;

An act to incorporate Amenda Lodge, No. 31, Knights of Pythias;

An act to incorporate Union Benevolent Association, of Versailles, Kentucky;

An act for the benefit of Polly Davis, administratrix of R. P. Davis, late surveyor of Breathitt county;

An act for the benefit of George W. Williams, of Christian county;

An act for the benefit of B. D. Nixon, jailer of Bath county;

An act for the benefit of Thos. J. Winfrey, of Russell county;

An act for the benefit of Felix Gibson, of Wayne county;

An act for the benefit of G. W. Whitesides, for taking care of pauper lunatic;

An act for the benefit of S. H. Cassidy, of Crittenden county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Jonathan Russell, sheriff of Casey county.

An act to change the location of a part of the Turnpike Road between Stanford and Crab Orchard.

An act to amend the charter of the town of Stanford.

An act to amend the charter of the town of Hustonville.



An act for the benefit of the Independence and Colemansville Turnpike Road Company.

An act to amend an act, entitled "An act for the benefit of keepers of licensed stud-horses, jacks and bulls."

With an amendment to the last named bill,

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Marble, from the Committee on Banks and Insurance—

A bill to incorporate the Princeton Bank.

By Mr. Garnett, from the Committee on the Judiciary—

A bill for the benefit of John Boyd, sheriff of Lyon county.

By same—

A bill to authorize the levy and collection of a tax in Livingston county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to amend the charter of the congregation Adas Israel.

By same—

An act to authorize the congregation Adas Israel, of the city of Louisville, to issue mortgage bonds.

By Mr. Garnett, from the Committee on the Judiciary—

An act refunding certain moneys to persons entering land warrants west of the Tennessee river.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That the last named bill be printed and recommitted to the Committee on the Judiciary, and both the others be read a third time.

•The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Tyler, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That an annual tax of one dollar per head on dogs, and three dollars per head on bitches, be, and the same is hereby, imposed upon all dogs within this Commonwealth, to be paid by its owner or keeper of such dog or dogs, as hereinafter provided.

§ 2. It shall be the duty of every housekeeper of this Commonwealth, in listing his property for taxation in each year, to furnish to the assessor a statement of the number and sex of all dogs owned by him or her, or by any member of his or her family ; and also of all dogs kept on his or her premises, by any person in his or her employ ; and any person or persons who shall fail or refuse to furnish such statement to the assessor, or who shall give to the assessor a false or incorrect statement, shall be subject to all the pains and penalties prescribed by law for a like failure, refusal, or neglect, in respect to other taxable property, and the like pains and penalties for a false or incorrect list, as are prescribed by law in regard to other taxable property.

§ 3. That the assessor who shall fail or neglect to make and return a full and correct list of dogs as above provided, shall be subject to the same pains and penalties as are now prescribed by law for a like failure in regard to any other taxable property. The assessor shall receive five cents for each listed by him under the provisions of this act, to be paid out of the funds arising from the tax hereinbefore imposed.

§ 4. That it shall be the duty of the sheriffs of this Commonwealth to collect the taxes upon dogs, as herein provided, in the same manner, and under the same liabilities, as prescribed by law in respect to taxes upon any other taxable property ; and he shall have the same remedies for the collection of the payment of taxes on dogs which are prescribed in regard to taxes upon any other property ; and he shall be entitled to the same commissions for the collection of the tax on dogs, as herein provided for, as he is now entitled by law to receive for the collection of its revenue.

§ 5. That if any person or persons shall fail or refuse to pay the taxes upon his or her dogs so listed, or if such taxes cannot be collected of any person or persons by the sheriff, it shall be the duty of the sheriff to report the names of such delinquents to the county judge of his county, who shall issue a warrant or warrants against such delinquents for the amount of their respective taxes, in the name of the Commonwealth ; and if, upon a return of said warrants, and a regular trial thereof, as in other cases, it shall be found that such person or persons are justly indebted for the amount of taxes claimed, or any part thereof, it shall be the duty of its county judge to enter judgment therefor as for a fine, upon which a *capias pro fine* may issue from time to time until the payment thereof is enforced.

§ 6. All dogs upon which the taxes are paid, in accordance with the provisions of this act, shall be deemed to be property, and for any injury thereto, or for any violation of the rights of ownership thereof, the owner or keeper of such dog or dogs shall be entitled to like remedies as he is now entitled to under the law in respect of any other property.

§ 7. All moneys collected by the sheriff under the provisions of this act shall be paid by them as they are now required by law to pay the county levy, and shall be applied, after deducting the amount of fees and commission hereinbefore provided for, to decreasing the county levy.

§ 8. This act shall apply only to the counties of Owen, Carroll, Pendleton, Harrison, Bourbon, Boone, Bracken, Scott, Grant, Garrard, Livingston, Crittendon, Lyon, Marshall, Mason, Campbell, Jefferson, Mercer, Montgomery, Christian, Clark, Franklin, Calloway, Marion, Harlan, Perry, Bell, Henry, Shelby, and Fayette: *Provided*, That as to said last named county, the provisions of this act shall in nowise affect the existing law imposing a tax on dogs in the city of Lexington.

§ 9. This act shall take effect from its passage, but shall not apply to the city of Louisville and the city of Covington.

Mr. Harding moved to amend said bill by making the provisions thereof apply to the counties of Nicholas and Robertson.

Which was adopted.

Mr. Brown moved to amend said bill by striking out the counties of Franklin and Henry in the eighth section thereof.

Which was adopted.

Mr. Cleveland moved to amend said bill by striking out the words "this Commonwealth," in the first section thereof," and insert in lieu thereof the words "the counties hereinafter named."

Which was adopted.

Mr. Cunningham moved to amend said bill by striking out the words "five cents for each dog listed by him," in the third section thereof, and insert in lieu thereof the following: "Five cents for each dog owner's list listed by him."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Cunningham then moved to amend said bill by striking out the words "as for a fine upon which a *capias pro fine* may issue from time to time until the payment thereof is enforced," in the fifth section thereof.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Cunningham also moved to amend said bill by striking out the seventh section thereof, and inserting in lieu thereof the following, viz:

"The proceeds of said taxes, and fines for the non-payment thereof, shall first be applied to the payment of the assessor for taking said

list, and the balance shall be paid into the county treasury as a fund to be applied to reimburse those whose sheep have been killed by dogs in said county; claims for which fund shall be passed upon by the court of claims next succeeding."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cunningham and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	Sumner Marble,
Thos. J. Barker,	P. F. Edwards,	J. H. Stanley,
Wm. J. Berry,	Duncan Harding,	G. W. Swoope,
James Blackburn,	R. G. Hays,	E. W. Turner,
Scott Brown,	S. H. Jenkins,	H. A. Tyler—17.
W. W. Culbertson,	J. R. Leslie,	

Those who voted in the negative, were

F. L. Cleveland,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	Joseph B. Read,	C. J. Walton,
D. H. Lindsay,	Robert Simmons,	George Wright—9.

Pending the consideration of said bill, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned.

## SATURDAY, MARCH 4, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of John Boyd, sheriff of Lyon county.

An act incorporating the Kentucky Agricultural Company.

An act to amend the charter of the Covington Transfer Company.

An act to incorporate the Grassy Flat Ditch Company, of Daviess county.

An act to amend, revise, and extend an act, entitled "An act to incorporate the city of Mayfield," approved March 25, 1873.



An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Lagrange," approved February 25, 1869.

An act to amend the charter of the Covington and Taylor's Mill Turnpike Road Company.

An act for the benefit of the German American School Association of Owensboro.

An act for the benefit of H. S. Percival, sheriff of Kenton county.

An act to protect game and small birds and punish trespass.

An act to repeal an act, entitled "An act to establish a criminal court in the 11th judicial district," approved 20th February, 1874, so far as the same applies to the county of Henry.

With amendments to the last three named bills.

The last of which was taken up, twice read, and concurred in.

That they had passed bills of the following titles, viz :

1. An act for the benefit of John S. Geiger, presiding county judge of Union county.

2. An act to incorporate the German Evangelical Zion's Church, of Owensboro.

3. An act to incorporate the Mechanics' Savings Association.

4. An act to regulate appeals from the Winchester police court in criminal and penal cases.

5. An act for the benefit of Joel F. Reed, sheriff of Estill county, and his securities on his bond for the years 1873-'4.

6. An act to amend the charter of the Lexington and Georgetown Turnpike Road Company.

7. An act to amend an act, entitled "An act to protect the interest of the Commonwealth of Kentucky in certain cases," approved February 24th, 1873.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 4th to the Committee on Courts of Justice; the 2d to the Committee on Religion and Morals; the 3d to the Committee on Banks and Insurance; the 5th to the Committee on Finance; the 6th to the Committee on Internal Improvement, and the 7th to the Committee on the Judiciary.

Leave was given to bring in the following bills, viz :

On motion of Mr. Swoope—

1. A bill to establish a chancery court in and for the county of Daviess, in the State of Kentucky.

On motion of Mr. Brown—

2. A bill to extend the charter of the Farmers' Bank of Kentucky, at Frankfort.

On motion of same—

3. A bill to complete the unfinished buildings known as the "Fire-proof Buildings," of Frankfort, Kentucky.

On motion of Mr. Turner—

4. A bill to amend section 2, article 4, chapter 62, of General Statutes, entitled "Juries, Grand and Petit."

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st and 4th; the Committee on Banks and Insurance the 2d, and the Committee on Library and Public Offices and Buildings the 3d.

The following petition was presented, viz :

By Mr. Wright—

Petition of sundry citizens of Todd county, asking an appropriation to aid the citizens of said county who were sufferers by a recent storm.

Which was received, the reading dispensed with, and referred to the Committee on Finance.

On motion of Mr. Turner, leave of absence, indefinitely, was granted Messrs. Barker, Walton, and Cunningham.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act to empower John D. Mourning, judge of Adair county, to appoint a clerk of his court.

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Tyler then moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

Mr. Read, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act to establish a common school district at Glasgow Junction, in Barren county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

The Senate, according to order, took up for consideration

A bill to amend chapter 18, General Statutes, entitled "Common Schools."

Mr. Read moved that the further consideration of said bill be postponed and be considered in Committee of the Whole, on Wednesday next, the 8th inst., at 10½ o'clock, A. M.

Which was adopted.

Mr. Barker, from the Committee on the Judiciary, to whom was referred leave to bring in

A bill to amend section 1, article 29, chapter 29, of the General Statutes,

Asked to be discharged from the further consideration of the leave.

And the question being taken on discharging the committee, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	Robert Simmons,
Thos. J. Barker,	James W. Hays,	J. H. Stanley,
Wm. J. Berry,	George B. Hodge,	G. W. Swoope,
Robert A. Briggs,	J. R. Leslie,	E. W. Turner,
Scott Brown,	D. H. Lindsay,	H. A. Tyler,
F. L. Cleveland,	R. B. Lovel,	George Wright--20.
P. F. Edwards,	Joseph B. Read,	

Those who voted in the negative, were—

James Blackburn,	James B. Garnett,	S. H. Jenkins.
W. W. Culbertson,	Duncan Harding,	Sumner Marble,
W. A. Cunningham,	John Hyden,	W. L. Vories--9.

Mr. Barker, from the Committee on the Judiciary, reported

A bill to repeal sections 8, 9, and 15, and to amend section 14 of chapter 75 of General Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Mr. Cunningham moved to strike out the enacting clause of said bill.

Which motion was adopted.

So said bill was rejected.

Mr. Barker, from the Committee on the Judiciary, reported

A bill to amend section 5, article 29, chapter 29, of General Statutes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 5, article 29, of chapter 29, of the General Statutes, be amended by striking out the word "immediate," in the fourth line of said section.

§ 2. That this act shall take effect from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Scott Brown,	Sumner Marble,
Thos. J. Barker,	W. W. Culbertson,	C. N. Pendleton,
James Blackburn,	W. A. Cunningham,	H. A. Tyler,
Robert A. Briggs,	P. F. Edwards,	W. L. Vories—12.

Those who voted in the negative, were—

Wm. J. Berry,	S. H. Jenkins,	Robert Simmons,
F. L. Cleveland,	J. R. Leslie,	J. H. Stanley,
Andrew J. Ewing,	D. H. Lindsay,	G. W. Swoope,
Duncan Harding,	R. B. Lovel,	E. W. Turner,
R. G. Hays,	Joseph B. Read,	George Wright—15.

So said bill was rejected.

The Senate took up for consideration the amendments proposed by the House of Representatives to bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act for the benefit of keepers of licensed stud-horses, jacks, and bulls."

An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

Which amendments were twice read and concurred in.



Mr. Barker, from the Committee on the Judiciary, reported

A bill to amend section 52, article 2, chapter 39, of General Statutes.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That section 52, article 2, of chapter 39, of the General Statutes, be, and the same is, repealed, and in lieu thereof it is enacted, that the allowance to executors, administrators, and curators shall not exceed five per cent. on all the amount received and distributed.

§ 2. That this act shall take effect from and after its passage.

Mr. Cleveland moved to amend said bill by adding to the first section thereof the following, viz :

*“ Provided, It shall, if the amount does not exceed \$500, be discretionary with the judge or person making the settlement to allow as compensation not exceeding ten per cent.”*

Mr. Swoope then moved to amend the amendment proposed by Mr. Cleveland by striking out “ten per cent.,” and inserting in lieu thereof “five per cent.”

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	Robert Simmons,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	James W. Hays,	G. W. Swoope,
James Blackburn,	R. G. Hays,	E. W. Turner,
Robert A. Briggs,	J. R. Leslie,	W. L. Vories,
Scott Brown,	Sumner Marble,	George Wright—18.

Those who voted in the negative were—

F. L. Cleveland,	James B. Garnett,	R. B. Lovel,
W. W. Culbertson,	S. H. Jenkins,	Joseph B. Read,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler—10.
P. F. Edwards,		

The question was then taken on the adoption of the amendment proposed by Mr. Cleveland, as amended, and it was decided in the affirmative.

Mr. Swoope then moved to amend said bill by striking out the words “five per cent.,” in the first section,” and inserting in lieu thereof the words “three per cent.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	G. W. Swoope,	W. L. Vories,
Sumner Marble,	E. W. Turner,	George Wright—6.

Those who voted in the negative, were—

Pollock Barbour,	W. W. Culbertson,	J. R. Leslie,
Thos. J. Barker,	W. A. Cunningham,	D. H. Lindsay,
Wm. J. Berry,	James B. Garnett,	R. B. Lovel,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler—21.

Mr Swoope then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	J. R. Leslie,	E. W. Turner,
Scott Brown,	Sumner Marble,	W. L. Vories,
Andrew J. Ewing,	G. W. Swoope,	George Wright—10.
S. H. Jenkins,		

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	D. H. Lindsay,
Thos. J. Barker,	P. F. Edwards,	R. B. Lovel,
James Blackburn,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	James W. Hays,	H. A. Tyler—17.
W. W. Culbertson,	R. G. Hays,	

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	R. B. Lovel,
Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,

Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler—16.
W. A. Cunningham,		

Those who voted in the negative, were—

Wm. J. Berry,	James B. Garnett,	G. W. Swoope,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	Sumner Marble,	George Wright—12.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom was referred a bill from the House of Representatives, entitled

An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State,

Reported the same without amendment.

Mr. Swoope moved that said bill be printed, and that the further consideration thereof be postponed until Tuesday next, the 7th inst., at 11 o'clock, A. M.

Mr. Briggs called for a division of the question.

The question was first taken on ordering said bill to be printed, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	D. H. Lindsay,	J. H. Stanley,
P. F. Edwards,	C. N. Pendleton,	G. W. Swoope,
Duncan Harding,	Joseph B. Read,	E. W. Turner,
S. H. Jenkins,	Robert Simmons,	W. L. Vories—13.
J. R. Leslie,		

Those who voted in the negative, were—

Pollock Barbour,	W. W. Culbertson,	R. B. Lovel,
Wm. J. Berry,	W. A. Cunningham,	Sumner Marble,
James Blackburn,	Andrew J. Ewing,	H. A. Tyler,
Robert A. Briggs,	James B. Garnett,	George Wright—14.
F. L. Cleveland,	R. G. Hays,	

The question was then taken on postponing the further consideration of said bill until Tuesday next, the 7th inst., at 11 o'clock, A. M., and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	S. H. Jenkins,	Robert Simmons,
F. L. Cleveland,	J. R. Leslie,	J. H. Stanley,

W. A. Cunningham,	D. H. Lindsay,	G. W. Swoope,
P. F. Edwards,	R. B. Lovel,	E. W. Turner,
James B. Garnett,	C. N. Pendleton,	W. L. Vories—19.
Duncan Harding,		

Those who voted in the negative, were—

Pollock Barbour,	W. W. Culbertson,	H. A. Tyler,
Wm. J. Berry,	Andrew J. Ewing,	George Wright—8.
James Blackburn,	Sumner Marble,	

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Simmons, from the Committee on the Judiciary—

An act to provide for adjusting conflicting titles to Mineral Spring, in Boone county.

By Mr. Leslie, from the Committee on Courts of Justice—

An act to create the office of county treasurer for Barren county.

By Mr. Harding, from the Committee on Religion and Morals—

An act to incorporate the Court Street Baptist Church, Bowling Green, Kentucky.

By Mr. Read, from the Committee on Education—

An act to establish a normal school at Glasgow, in Barren county.

By Mr. Barker, from the Committee on Internal Improvement—

An act to incorporate the Fox Creek and Washington County Turnpike Road Company.

By same—

An act to incorporate the Lawrenceburg and Camdenville Branch Road Turnpike Company, in Anderson county.

By same—

An act to amend the charter of the Petersburg and Burlington Turnpike Road.

By same—

An act for the employment of teams on the public roads in Carroll county.

By same—

An act to amend the charter of the Athens and Walnut Hill Turnpike Company.

By Mr. Barker, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the town of Weston, in Crittenden county."

By same—

An act to amend an act, entitled "An act to amend an act, entitled



‘An act to amend and reduce into one the several acts in relation to the town of Greenupsburg.’”

*Ordered*, That said bill's be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Read, from the Committee on Propositions and Grievances—

A bill for the benefit of H. O. Merryman and others.

By Mr. Simmons, from the Committee on the Judiciary—

A bill to incorporate the Licking Bridge and Junction Turnpike Company.

By Mr. Harding, from the Committee on Religion and Morals—

A bill to amend an act, entitled “An act to incorporate the Carlisle Cemetery Company,” approved 14th February, 1861.

By Mr. Barker, from the Committee on Internal Improvement—

A bill to incorporate the town of Chaplin, Nelson county.

By same—

A bill to incorporate the Eden Turnpike Road Company.

By Mr. Hodge, from the Committee on Railroads—

A bill to amend the charter of the Louisville and Nashville Railroad Company.

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill to prevent barbers from keeping their shops open on Sunday.

By Mr. Barker, from the Committee on the Judiciary—

A bill to amend article 4, chapter 29, General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last two named of said bills be placed in the orders of the day, and the others be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Thomas Shanks, sheriff of the county of Jefferson.

An act in relation to the sale of spirituous, vinous, and malt liquors in the town of Foster, in Bracken county.

An act to amend the charter of the Masonic Mutual Benefit Association, of Maysville.

An act for the benefit of A. C. Thomas and Simon Humphreys, sheriffs of Nelson county.

An act to amend the charter of the Kentucky Female Orphan School.

An act to amend the charters of the Midway and Elkhorn and Scott County and Elkhorn and Midway and Scott County Turnpike Road Companies.

An act to amend section 1 of article 2, chapter 94, General Statutes, entitled "Roads and Passways."

An act for the benefit of John M. Curry, ex-sheriff of Pendleton county.

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined enrolled bills and a resolution, which originated in the Senate, of the following titles, viz :

An act to amend the charter and reduce into one the several acts concerning the town of Sharpsburg, Bath county ;

An act for the benefit of John M. Curry, ex-sheriff of Pendleton county ;

An act to incorporate the Farmers and Traders' Bank ;

An act to exempt certain benevolent and charitable associations from the operation of the general life insurance laws of this Commonwealth ;

An act for the benefit of Alexander Deaton, former sheriff of Breathitt county ;

An act for the benefit of Jane Thompson ;

An act to amend the charter of the town of Berlin, approved March 15, 1869, in Bracken county ;

An act to tax public exhibitions in the town of Ashland for the benefit of the common schools of the town ;

An act for the benefit of D. F. Smith, of Warren county ;

An act for the benefit of the sureties of A. C. Bowman, late sheriff of Breathitt county;

An act to incorporate the Louisville Bank of Commerce;

An act to repeal an act, entitled "An act to establish a criminal court in the 11th judicial district," approved February 20th, 1874, so far as the same applies to the county of Henry;

An act to incorporate the Three Forks of Grassy Creek, Knoxville, and Dry Ridge Turnpike Road Company, in Pendleton and Grant counties;

An act to protect sheep and dogs in the counties of Ballard, Henry, and other counties;

Resolution authorizing the appointment of a joint committee to take into consideration all matters in relation to the registration of births, deaths, and marriages;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act concerning executors and administrators;

An act to amend the charter of the town of Franklin, Kentucky, approved December 18, 1867;

An act to incorporate Olive Lodge, No. 24, Knights of Pythias, of Carrollton, Kentucky;

An act to incorporate the Fifth Presbyterian Church of Louisville, Kentucky;

An act to charter the Southern Kentucky Orphan Asylum;

An act for the benefit of John W. Mills, of Adair county;

7. An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of Caverna," approved February 27, 1873;

An act for the benefit of Elias Dorsey's estate;

An act to change the boundary line of magisterial districts Nos. 2 and 3, in Kenton county;

An act for the benefit of school district No. 42, Muhlenburg county;

An act for the benefit of Hart county;

An act for the benefit of sundry common school districts of Pulaski county;

An act to amend the several acts in relation to the town of Winchester;

An act to amend the charter of Bardstown, regulating the fees of the police judge of said town;

An act changing the boundary of the town of Georgetown, in Scott county;

An act to incorporate the Kentucky Grangers' Mutual Benefit Society;

An act for the benefit of the Alexandria and Persimmon Grove Turnpike Company, in Campbell county;

An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington;

An act to protect sheep in Kenton county;

An act to incorporate the Ludlow, West Covington, and Suspension Bridge Street Railway Company;

An act to authorize the county court of Pulaski county to issue bonds to raise money to build a jail;

An act to incorporate the Mattie Hays Boat Club, of Louisville, Kentucky;

An act to incorporate the Odd Fellows' Funeral Aid Association, of Maysville;

An act to incorporate the Baptist Church of New Liberty, Owen county;

An act to authorize the Martin county court to issue bonds for the purpose of erecting and repairing public buildings in said county, and providing for the payment of same;

An act to fix the time of holding the quarterly courts in Muhlenburg county;

An act legalizing vote taken by the voters of Falmouth, in Pendleton county, on the 13th day of February, 1875, authorizing the board of trustees of said town guaranteeing the payment of interest on twenty-five thousand dollars of bonds issued by the Covington, Flemingsburg, and Pound Gap Railroad Company;

An act to amend an act, approved March 14, 1871, entitled "An act to incorporate the Iron Works Turnpike Road Company;"

An act to authorize the board of council of Franklin, Kentucky, to issue bonds and provide for the payment of same;

An act for the benefit of the assessor of Fulton county;

An act to incorporate the State Bank in Louisville;

An act for the benefit of the Headquarters and Steel's Run Turnpike Road Company;

An act to create an additional voting place in the 5th magisterial district, of Kenton county;

An act to amend the charter of the Kenton Station Turnpike Road Company, in Mason county;

An act to incorporate Owen Lodge, No. 85, I. O. O. F;



An act to incorporate Gray Lodge of the Independent Sons of Honor;

An act legalizing an order of the Martin county court of claims, and authorizing said court to levy an ad valorem tax in said county;

An act to amend an act, entitled "An act to incorporate the Shelbyville and Bardstown Turnpike Company;"

An act for the benefit of R. L. McElroy, late trustee of school district No. 16, of Marion county;

An act to incorporate the town of Skilesville, in Muhlenburg county, Kentucky;

An act to amend the charter of the town of Caseyville;

An act to incorporate the town of Shiloh, in Calloway county;

An act to incorporate the Antioch and Houston Turnpike Road Company;

An act to amend the charter of the town of Caseyville, Union county;

An act repealing third section of an act, entitled "An act repealing an act creating the office of town marshal of Independence, in Kenton county, and concerning the police laws of said town;"

An act for the benefit of the Bloomfield and Springfield Turnpike Road Company;

An act for the benefit of the sheriff of Warren county;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the committee had performed that duty.

And then the Senate adjourned.

MONDAY, MARCH 6, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to establish the seventeenth circuit court judicial district.

An act to incorporate the town of Chaplin, Nelson county.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act for the benefit of H. O. Merriman and others.

An act to amend an act, entitled "An act to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district," approved 16th April, 1873.

An act directing and authorizing the clerk of the Daviess circuit court to docket common law causes and criminal and penal cases pending, or which shall hereafter be pending, in the Daviess circuit court.

That they had passed bills of the following titles, viz :

1. An act for the benefit of George W. Pickett, late sheriff of Adair county.

2. An act for the benefit of Merrill Hardin, of Garrard county.

3. An act to amend section 5, article 4, chapter 71, General Statutes.

4. An act to prevent the destruction by cattle or other stock of willows and small trees growing and being planted on the banks of the Ohio river, in Trimble and Oldham counties and part of Carroll county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Finance; the 3d to the Committee on General Statutes, and the 4th to the Committee on Agriculture and Manufactures.

Leave was given to bring in the following bills, viz :

On motion of Mr. Swoope—

1. A bill, entitled "An act to regulate the Owensboro Gas Company in furnishing and charging for gas within the city of Owensboro.

On motion of same—

2. A bill, entitled "An act requiring landlords to register in the clerk's office of the county courts of this Commonwealth the names of their tenants, the length of their term, the amount of rent due or to become due, when and how payable."

On motion of Mr. Harding—

3. A bill to authorize the purchase of Trimble's Digest.

On motion of Mr. Garnett—

4. A bill for the benefit of E. Erving.

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st; the Committee on General Statutes and Codes of Practice the 2d and 3d, and the Committee on Education the 4th.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Lindsay, from the Committee on Religion and Morals—

1. A bill to amend an act, entitled "An act to authorize the voters of the city of Mayfield to vote upon the proposition as to whether spirituous, malt, or vinous liquors shall be sold within the corporate limits of said city, or within one mile thereof," approved December 15th, 1873.

By Mr. Culbertson, from the Committee on Finance—

2. A bill regulating the mode and manner in which claims against the county of Boyd shall be presented to the county court of Boyd county.

By Mr. Brown, from the Committee on Internal Improvement—

3. A bill to charter the Plum Branch and Bald Knob Turnpike Road Company.

By Mr. Culbertson, from the Committee on Internal Improvement—

4. A bill to incorporate the Mt. Olivet and Bridgeville Turnpike Road Company, in Robertson county.

By Mr. Tyler, from the Committee on the Judiciary—

5. A bill to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

By same—

6. A bill to amend the charter of the city of Cynthiana.

By same—

7. A bill conferring jurisdiction upon the Henderson city court to try prosecutions for carrying concealed deadly weapons.

By same—

8. A bill to authorize Emma P. Barbour to be appointed guardian for George A. Sykes and Eliza Moore Sykes.

By same—

9. A bill authorizing the Register of the Land Office to issue certain patents to Wm. and J. B. Combs.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the 5th be printed and made the special order of the day for Friday next, 10th inst., at 10 o'clock, A. M.; the 9th be placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Tyler, from the Committee on the Judiciary—

An act to incorporate Guthrie City, in Todd county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate the German Evangelical Zion's Church, of Owensboro.

By same—

An act to incorporate Hico Lodge, No. 372, Free and Accepted Masons, Calloway county, Kentucky.

By Mr. Cleveland, from the Committee on Appropriations—

An act to amend the charter of the Masonic Building Company, of Falmouth, Kentucky.

By Mr. Wright, from the Committee on Finance—

An act for the benefit of Joel F. Reese, sheriff of Estill county, and his securities on his bond, for the years 1873-'4.

By Mr. Culbertson, from the Committee on Agriculture and Manufactures—

An act to incorporate the Bath County Agricultural and Mechanical Association.



By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

An act for the benefit of the Montgomery and Bath Stock Association.

By Mr. Brown, from the Committee on Library and Public Offices and Buildings.

An act granting the use and possession of the reservoir on the Public Square to John R. Graham and Green Clay Smith, of the city of Frankfort, for the purpose of cultivating fish.

By Mr. Culbertson, from the Committee on Finance—

An act for the benefit of W. W. Cox, late sheriff and present late county and quarterly court judge, of Morgan county.

By same—

An act to legalize the Washington county court of claims for 1875.

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to incorporate the Summit Station Turnpike Road Company, in Nicholas county.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act to amend the charter of the Salvisa and Kirkwood Turnpike Road Company.

By same—

An act to establish a district for the purpose of working and keeping in repair certain roads running into the town of Big Spring, in the counties of Meade, Hardin, and Breckinridge.

By same—

An act to amend the charter of the Kentucky River Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county," approved March 25, 1872.

By Mr. Tyler, from the Committee on the Judiciary—

An act to amend the charter of the city of Louisville.

By same—

An act to amend an act incorporating the town of Frenchburg, in Menifee county, Kentucky.

By same—

An act to amend the charter of the town of Stephensport, in Breckinridge county.

By same—

An act to amend the charter of the town of Lockport, in Henry county.

By same—

An act to amend the charter of the town of Parkland.

By same—

An act for the benefit of the town of Booneville, Owsley county, Kentucky.

By same—

An act to amend the charter of the city of Cynthiana.

By same—

An act to repeal section third of an act to amend the charter of the town of Shelby City.

By Mr. Simmons, from the Committee on the Judiciary—

An act for the benefit of Lee county.

By same—

An act to amend section 9 of chapter 415 of an act of the General Assembly of the Commonwealth of Kentucky, passed at session 1873-'4, entitled "An act to prevent the sale of medicines and poisons," approved February 20, 1874.

By same—

An act to amend an act to incorporate the town of Shelby City, in the county of Boyle.

By same—

An act to repeal sections 5, 6, and 7 of an act, entitled "An act to amend the charter of the town of Harrodsburg," approved February 18, 1870.

By same—

An act to extend the corporate limits of the town of Litchfield, in Grayson county.

With an amendment to the last named bill;

Which was adopted.

*Ordered*, That the first named of said bills be placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed.

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to authorize the city of Lawrenceburg, Indiana, to purchase ferry in Boone county, opposite said city ;

An act for the benefit of B. B. Mullens, ex-sheriff of Pendleton county ;

An act for the benefit of G. W. Baker, late sheriff of Jackson county ;

An act to incorporate the Phœnix Lyceum, in Fulton county ;

An act for the benefit of Stephen Gibson, late sheriff of Clay county, giving him the further time of six months in which to make out and return his delinquent list for the years 1872 and 1873 ;

An act for the benefit of the deputy clerk of the Magoffin county court ;

An act for the benefit of Mrs. E. J. Peers, an adjudged lunatic ;

An act to regulate the time of holding circuit courts in certain counties in the ninth judicial district ;

An act to amend the act approved 7th December, 1850, entitled "An act to incorporate the Kentucky Agricultural and Mechanical Association at Lexington ;"

An act to amend an act, entitled "An act to incorporate Confederate City, in Rowan county ;"

An act in relation to official sales in the county of Bracken ;

An act to incorporate the South Covington Fair and Trotting Park Association ;

An act to prevent trespass in Christian county ;

An act to change the time of holding the Letcher quarterly court ;

An act to reduce into one all the acts relating to the city of Owensboro ;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of B. T. Morris, of Carter county ;

An act to fix the tax on real and personal estate at forty cents on the one hundred dollars in value thereof ;

An act for the benefit of W. F. Austin, committee for W. P. Austin, a pauper idiot, of Barren county ;

An act to regulate the purchase or sale of scrap-iron, old metals, or second-hand furniture, in certain counties in this State ;

An act to incorporate the New Providence and Western Turnpike Road Company ;

An act for the benefit of Thomas Ballou, of Pulaski county ;

An act for the benefit of common school district No. 8, of Powell county ;

An act for the benefit of George W. Murphy, of Hopkins county ;

An act to incorporate the Union Library Association of the town of Union, Boone county ;

An act to authorize the president and faculty of Cottage Home College to confer learned degrees ;

An act to make additional provision for the education of the colored children in the city of Covington ;

An act for the benefit of common schools in Boone county ;

An act to incorporate the Breckinridge Literary and Library Association of Owingsville, Bath county ;

An act to repeal an act, entitled "An act to print sheriffs and master commissioner's advertisements of land sales in Carroll county in the paper printed in said county ;

An act for the benefit of the assessor and clerk of Gallatin county ;

An act for the benefit of Jane A. Philips, of Jefferson county ;

An act to amend section 10, article 2, chapter 27, General Statutes ;

An act to amend the charter of the town of Adairville, in Logan county ;

An act to give the assessor further time to list the property in McLean county ;

An act to regulate tolls on turnpike roads in Owen county ;

An act for the benefit of G. W. Pickett, of Adair county ;

An act to amend the charter of the town of Glennville, in Adair county, approved March 25, 1872 ;

An act for the benefit of the common school commissioners of Hopkins county ;

An act to continue in force an act, entitled "An act authorizing the county court of Washington county to increase the county levy," approved January 22, 1874 ;

An act to repeal an act, entitled "An act to print sheriffs and master commissioner's advertisements of land sales in Owen county in the paper printed in said county ;"

An act to incorporate the Flemingsburg Railway Company ;

An act for the benefit of common school district No. 28, of Metcalfe county ;

An act for the benefit of common schools in Grayson county ;



An act for the benefit of James A. Howell, committee for James Shoemaker, an adjudged pauper idiot;

An act to amend an act, entitled "An act to incorporate the Stony Point and Lemand's Mills Turnpike Road Company, of Bourbon county;"

An act in aid of common school districts Nos. 62 and 67, Hopkins county;

An act for the benefit of school district No. 34, in Taylor county;

An act to authorize the Congregation Adas Israel, of the city of Louisville, to issue mortgage bonds;

An act for the benefit of common school district No. 30, in McLean county;

An act for the benefit of John H. McHargue;

An act to authorize the sale of the property in Barbourville, known as the Baptist Church and school property;

An act to define the jurisdiction of the police judge of the town of Cromwell, Ohio county;

An act for the benefit of the town of Westport, in Oldham county;

An act to legalize certain acts of the Boone county court;

An act authorizing the appointment of commissioners to ascertain and re-mark the line between the counties of Fayette and Scott;

An act for the benefit of the clerks of the Union and Crittenden circuit courts;

An act for the benefit of common school district No. 22, Webster county;

An act for the benefit of common school district No. 21, of Bourbon county;

An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants, and tobacco dealers on commission;

An act, entitled "An act to amend the road law of Boone county;

An act to prevent stock from running at large in the counties of Bracken, Pendleton, Grant, and Harrison;

An act to incorporate the Traders' Deposit Bank of Mt. Sterling, Kentucky;

An act to authorize the county court of Webster county to issue bonds, and to levy a tax to pay the same;

An act to authorize the judge of the Marion quarterly court to appoint the clerk of said court;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the committee had performed that duty.

The following petition was presented, viz :

By Mr. Harding—

Petition of sundry citizens of Robertson county, praying the passage of an act incorporating a turnpike road company in said county.

Which was received, the reading dispensed with, and referred to the Committee on Internal Improvement.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had refused to order to be read a third time a bill from the House of Representatives, entitled

An act to empower John D. Mourning, judge of Adair county, to appoint a clerk of his court.

The question was then taken on reconsidering said vote, and it was decided in the affirmative.

Said bill was then amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to the passage of a bill, which originated in the House of Representatives, entitled

An act for the benefit of Carlisle Callum, of Greenup county.

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Culbertson then moved to reconsider the vote by which the Senate had refused to order said bill to be read a third time.

Which motion was adopted.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their disagreement to a bill, which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Mt. Sterling Coal Road Company."

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Harding then moved to reconsider the vote by which the Senate had disagreed to said bill.

Which motion was simply entered.

Mr. Brown was appointed a committee on part of the Senate, to act in conjunction with a similar committee on part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill that originated in the Senate, and that had passed the two Houses, entitled

An act to repeal an act, entitled "An act to establish a criminal court in the 11th judicial district," approved February 20th, 1874, so far as the same applies to the county of Henry.

After a short time, Mr. Brown reported that the committee had performed the duty assigned them, and said bill was handed in at the Clerk's desk.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Troublesome Creek Boom Company, in Breathitt county.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, to whom was referred a resolution from the House of Representatives, entitled

Resolution in regard to sword of Adjutant G. N. Cardwell,

Reported the same without amendment.

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The several committees to whom were referred leaves to bring in bills of the following titles, viz:

Mr. Culbertson, from the Committee on Finance—

A bill for the benefit of Wm. Bowe and Ed. Meek, of Lawrence county ;

Mr. Tyler, from the Committee on the Judiciary—

A bill in relation to the competency of witnesses in certain criminal cases ;

Same—

A bill to amend chapter 12 of the General Statutes, relating to change of venue in civil cases ;

Same—

A bill for the benefit of J. T. Greer ;

Same—

A bill to repeal section 9 of an act, entitled "An act to authorize sales and conveyances by a trustee under a power," approved 24th April, 1873 ;

Same—

A bill regulating testimony in criminal and penal cases ;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Bills from the House of Representatives, of the following titles, were reported from the Committee on the Judiciary, to whom they had been referred, with the expression of opinion that said bills ought not to pass, viz :

By Mr. Tyler—

An act to amend an act to amend and reduce into one the several acts relating to the town of Franklin.

By Mr. Simmons—

An act to repeal an act, entitled "An act to amend the charter of the city of Louisville," approved April 19, 1873, and to re-enact section 88 of an act, entitled "An act establishing a new charter for the city of Louisville," approved March 3, 1870.

And the question being taken on ordering said bills to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bills were disagreed to.

Mr. Culbertson, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act to tax the accumulated surplus fund of banks and other moneyed corporations of loan and discount in this Commonwealth,



Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Said bill was read a third time.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Simmons, from the committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the city of Paducah,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Tyler, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to reduce and regulate the salaries of the officers of this Commonwealth,

Reported the same without amendment.

Mr. Edwards moved to postpone the further consideration of said bill indefinitely.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	P. F. Edwards,	C. N. Pendleton,
Scott Brown,	D. H. Lindsay,	Joseph B. Read,
W. W. Culbertson,	R. B. Lovel,	G. W. Swoope—9.

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	George B. Hodge,	J. H. Stanley,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	Sumner Marble,	George Wright—16.
James B. Garnett,		

Mr. Read then moved to commit said bill to the Committee on Finance.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	P. F. Edwards,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner—11.
W. W. Culbertson,	R. B. Lovel.	

Those who voted in the negative, were—

Wm. J. Berry,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
James B. Garnett,	Sumner Marble,	George Wright—12.

Mr. Cleveland then moved that the further consideration of said bill be postponed until Saturday next, the 11th inst., at 10½ o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	D. H. Lindsay,	G. W. Swoope,
W. W. Culbertson,	R. B. Lovel,	E. W. Turner—16.
P. F. Edwards,		

Those who voted in the negative, were—

Wm. J. Berry,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	Sumner Marble,	George Wright—7.
S. H. Jenkins,		

Mr. Simmons, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the pay of witnesses in criminal cases,

Reported the same without amendment.

Mr. Simmons then proposed an amendment to said bill.

Pending the consideration of which the hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act authorizing the jailer of Mason county to appoint an assistant.

That they had concurred in the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to empower John D. Mourning, judge of Adair county court, to appoint a clerk of his court.

That they had passed bills of the following titles, viz :

1. An act for the benefit of D. P. Johns, of Hickman county.
2. An act to authorize courts of claims to impose a tax upon dogs for county purposes.
3. An act to amend chapter 29, article 11, of the General Statutes.
4. An act for the benefit of W. M. Kerby, sheriff of Garrard county.
5. An act for the benefit of Dix River and Lancaster Turnpike Road Company.
6. An act to amend an act, entitled "An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties," approved February 4, 1876.
7. An act to incorporate the Muldraugh's Hill Lithographic Stone and Mining Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 3d to the Committee on General Statutes and Codes of Practice ; the 4th and 6th to the Committee on Finance ; the 5th to the Committee on Internal Improvement ; the 2d was placed in the orders of the day, and the 1st and 7th were severally ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Leslie, from the Committee on Courts of Justice—

An act for the benefit of Calloway county.

By Mr. Pendleton, from the Committee on Finance—

An act giving the sheriff of Pike county two months further time to pay the revenue of Pike county, for the year 1876.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Mechanics' Savings Association.

By Mr. Berry, from the Committee on Religion and Morals—

An act to regulate the sale of vinous, spirituous, and malt liquors in Union county.

By Mr. Goodloe, from the Committee on Railroads—

An act to protect the Newport and Covington Bridge Company.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Briggs, from the Committee on Claims—

A bill for the benefit of J. M. Hester, of Graves county.

By same—

A bill for the benefit of Colston Crabtree, of Daviess county.

By Mr. Goodloe, from the Committee on Railroads—

A bill to amend the charter of the Elizabethtown, Lexington, and Big Sandy Railroad Company.

By Mr. Marble, from the Committee on Banks and Insurance—

A bill authorizing the levy and collection of a tax in Crittenden county.

By Mr. Simmons, from the Committee on the Judiciary—

A bill to amend the charter of the city of Ludlow.

By same—

A bill to incorporate the Campbell and Kenton Fair Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,



*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate resumed the consideration of the unfinished report of the Committee on the Judiciary, it being a bill from the House of Representatives, entitled

An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties.

[*For bill and amendments, as adopted, see Senate Journal March 3d, 1876.*]

Mr. Harding then moved to reconsider the vote by which the Senate had adopted the amendment proposed by himself, making the provisions of said bill apply to the counties of Nicholas and Robertson.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Harding, and it was decided in the negative.

Mr. Goodloe then moved to postpone the further consideration of said bill until Wednesday next, the 8th inst., at the night session of the Senate.

Which motion was adopted.

Mr. Simmons, from the Committee on Religion and Morals, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the sale of spirituous, vinous, and malt liquors in the town of Madisonville, Hopkins county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.<sup>1</sup>

The yeas and nays being required thereon by Messrs. Cleveland and Jenkins, were as follows, viz':

In the affirmative—James Blackburn—1.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,

Andrew J. Ewing,  
Joseph Gardner,

R. B. Lovel,  
Sumner Marble,

George Wright—26.

So said bill was disagreed to.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for any person or persons, who may receive license from the county court of Hopkins county, to sell spirituous, vinous, and malt liquors within the corporate limits of the town of Madisonville, Hopkins county.

§ 2. This act shall take effect from and after its passage.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act for the protection of sheep in the counties of Henderson, Breckinridge, Meade, Ohio, Caldwell, Hancock, McLean, and Daviess.

Said bill was then amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be amended so as to read

An act for the protection of sheep in the counties of Henderson, Breckinridge, Caldwell, Hancock, McLean, and Christian.

Mr. Gardner asked leave to record his vote on the adoption of the report and resolution of the select committee appointed to investigate certain charges against Hon. Geo. B. Hodge, Senator from the 25th district.

Which was granted, and said vote was recorded in the affirmative.

Mr. Barbour, from the Committee on Banks and Insurance, reported

A bill incorporating the Marion Bank, in Crittenden county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That W. C. Carnahan, R. W. Wilson, W. F. Wilson, and W. P. Maxwell, and those who may associate themselves with them and their assigns, be, and they are hereby, created a body corporate and politic, under the corporate name of Marion Bank; with power and authority by said corporate name to transact business, contract and be contracted with, sue and be sued, plead and be impleaded, in all courts of justice; to have a

corporate seal, and change the same; and to have corporate existence for a period of thirty years from the passage of this act.

§ 2. The business of the said corporation shall be a general banking business, and in the prosecution of such business it may deal in and buy and sell bills of exchange, promissory notes, bonds, evidences of debt, assign and transfer the same, and guarantee the payment thereof; buy and sell gold and silver; borrow money; loan money at the legal rate of interest; acquire, hold, use, sell, and convey such property as may be convenient or necessary in the prosecution of said business, and such property as may be sold under judicial proceedings in satisfaction of any demand in its favor; and may receive deposits of money and currency, and repay the same upon such terms as may be agreed upon.

§ 3. The capital stock of said bank shall be two hundred thousand dollars, divided in shares of one hundred dollars each. Each of the persons named in the first section hereof may receive subscriptions to said capital stock, and when two hundred shares of said capital stock shall have been subscribed, it shall be the duty of at least two of those persons to appoint a day, not more than thirty days distant, for such subscribers to meet at the court-house, in Crittenden county, Kentucky, for the purpose of electing directors for said bank, and to give at least twenty days written notice thereof, by posting up such notice at the door of said court-house, and at three other public places in said county. At said court-house, and at the time, so appointed, the subscribers of such stock may elect three directors to constitute a board of directors, who shall hold their office until the first Saturday in May thereafter, and until their successors shall have been elected and qualified.

§ 4. On the first Saturday in May in each year an election shall be held by the stockholders in said bank to elect three directors for said bank, who shall hold their office for one year from the time of their election, and until their successors shall have been elected and qualified. In any election for directors each stockholder shall be entitled to one vote for each share he may hold of said capital stock. Any vacancy in the board of directors may be filled until the next general election by the remaining directors. Each director shall be a stockholder in said bank.

§ 5. The business affairs of said bank shall be managed by said board of directors, and by such officers and agents as said board of directors may appoint. The said board of directors may make by-laws not inconsistent with the laws or constitution of the State of Kentucky, or of the United States, and may appoint such officers and agents as it may deem proper. The principal place of business of said bank shall be at the town of Marion, in the county of Crittenden, in the State of Kentucky.

§ 6. Said capital stock shall be deemed personal property, and shall be transferable by the holder thereof. The board of directors may prescribe the mode of transferring such stock. The individual property of the members of said corporation shall not be liable for its debts or liabilities. Said bank may commence business when as much as ten thousand dollars of its capital stock shall have been paid up. The said board of directors may receive subscriptions to said capital stock upon such terms as said board may deem proper.

§ 7. The said bank shall not have power to issue notes or bills to circulate as money.

§ 8. This act may at any time be modified or repealed by the Legislature, and it shall be in force from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	J. R. Leslie,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories—17.
Andrew J. Ewing,	R. B. Lovel,	

Those who voted in the negative, were—

Wm. J. Berry,	H. A. Tyler,	George Wright—4.
S. H. Jenkins,		

*Resolved*, That the title of said bill be as aforesaid.

And then the Senate adjourned.

## TUESDAY, MARCH 7, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Elias Dorsey's estate.

An act for the benefit of sundry common school districts of Pulaski county.

An act to authorize the county court of Pulaski county to issue bonds to raise money to build a jail.

An act for the benefit of school district No. 42, Muhlenburg county.

An act for the benefit of Hart county.

An act for the benefit of the assessor of Fulton county.

An act changing the boundary of the town of Georgetown, in Scott county.



An act to authorize the Martin county court to issue bonds for the purpose of erecting and repairing public buildings in said county, and providing for the payment of same.

An act to amend the several acts in relation to the town of Winchester.

An act for the benefit of John W. Mills, of Adair county.

An act legalizing vote taken by the voters of Falmouth, in Pendleton county, on the 13th day of February, 1875, authorizing the board of trustees of said town guaranteeing the payment of interest on twenty-five thousand dollars of bonds issued by the Covington, Flemingsburg, and Pound Gap Railroad Company.

An act for the benefit of C. K. Oldham, late sheriff of Madison county.

An act for the benefit of R. L. McElroy, late trustee of school district No. 16, of Marion county.

An act to create an additional voting place in the 5th magisterial district, of Kenton county.

An act to amend the charter of the town of Caseyville, Union county.

An act to incorporate the town of Shiloh, in Calloway county.

An act for the benefit of the Bloomfield and Springfield Turnpike Road Company.

An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington.

An act to amend the charter of the town of Caseyville.

An act to incorporate the Antioch and Houston Turnpike Road Company.

An act for the benefit of the sheriff of Warren county.

An act to incorporate the Baptist Church of New Liberty, Owen county.

An act to amend an act, entitled "An act to prohibit the sale of spirituous liquors in the town of Caverna," approved February 27, 1873.

An act to fix the time of holding the quarterly courts in Muhlenburg county.

An act to incorporate the Fifth Presbyterian Church of Louisville, Kentucky.

An act to authorize the board of council of Franklin, Kentucky, to issue bonds and provide for the payment of same.

An act concerning executors and administrators.

An act to change the boundary line of magisterial districts Nos. 2 and 3, in Kenton county.

An act to incorporate Olive Lodge, No. 24, Knights of Pythias, of Carrollton, Kentucky.

An act to amend the charter of the town of Franklin, Kentucky, approved December 18, 1867.

An act legalizing an order of the Martin county court of claims, and authorizing said court to levy an ad valorem tax in said county.

An act to incorporate Gray Lodge of the Independent Sons of Honor.

An act repealing third section of an act, entitled "An act repealing an act creating the office of town marshal of Independence, in Kenton county, and concerning the police laws of said town.

An act to incorporate the State Bank in Louisville.

An act for the benefit of the Alexandria and Persimmon Grove Turnpike Company, in Campbell county.

An act to amend the charter of Bardstown, regulating the fees of the police judge of said town.

An act to amend an act, approved March 14, 1871, entitled "An act to incorporate the Iron Works Turnpike Road Company."

An act to amend the charter of the Kenton Station Turnpike Road Company, in Mason county.

An act for the benefit of the Headquarters and Steele's Run Turnpike Road Company.

An act to incorporate the Mattie Hays Boat Club, of Louisville, Kentucky.

An act to amend the charter of the city of Covington.

An act to incorporate the town of Whitesburg, in Letcher county.

An act to charter the Southern Kentucky Orphan Asylum.

A message was received from the Governor by Mr. Bronston Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the sureties of A. C. Bowman, late sheriff of Breathitt county.

An act to exempt certain benevolent and charitable associations from the operation of the general life insurance laws of this Commonwealth.

An act to tax public exhibitions in the town of Ashland for the benefit of the common schools of the town.

An act to amend the charter of the town of Berlin, approved March 15, 1869, in Bracken county.

An act to incorporate the Louisville Bank of Commerce.

An act for the benefit of Alexander Deaton, former sheriff of Breathitt county.

An act for the benefit of D. F. Smith, of Warren county.

An act for the benefit of Jane Thompson, of Boyd county.

An act to incorporate the Three Forks of Grassy Creek, Knoxville, and Dry Ridge Turnpike Road Company, in Pendleton and Grant counties.

An act to reduce into one all the acts relating to the city of Owensboro.

Resolution authorizing the appointment of a joint committee to take into consideration all matters in relation to the registration of births, deaths, and marriages.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of Joseph H. Davis, of Ballard county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to provide for opening, repairing, and keeping in repair the public roads in Gallatin county.

An act for the benefit of Pat. Rush, jailer of Hart county.

An act to incorporate the Lockport and Bethlehem Turnpike or Gravel Road Company.

An act to incorporate the Mayfield and Wadesboro Gravel Road Company.

An act for the benefit of A. J. Bertram, of Edmonson county.

An act for the benefit of pauper idiots of Hardin county.

An act to incorporate the Calloway Agricultural and Mechanical Association.

An act to reduce into one and amend the act and amendatory acts incorporating the city of Ashland.

An act to authorize Emma P. Barbour to be appointed guardian for George A. Sykes and Eliza Moore Sykes.

An act for the benefit of the president, directors, and company of the Bank of Kentucky.

An act to amend an act, entitled "An act to incorporate the Cairo and Tennessee River Railroad Company," approved March 10, 1873.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act for the benefit of A. Portwood, of Anderson county.
2. An act for the benefit of J. W. Crane and others, of Fleming county.
3. An act to incorporate Fleming Lodge, No. 30, Independent Order of Odd Fellows, Fleming county.
4. An act extending the charter of the Farmers' Bank of Kentucky.
5. An act to repeal all acts and parts of acts fixing the rate of tolls on the Warsaw Turnpike Road, in Gallatin county.
6. An act authorizing the jailer of Floyd county to appoint an assistant.
7. An act to incorporate Grayson Lodge, No. 186, Independent Order of Odd Fellows.
8. An act in aid of the common schools of Grayson county.
9. An act to incorporate the Greensburg Deposit Bank.
10. An act to change the time of holding the Taylor county quarterly court.
11. An act to incorporate the Greenup and Riverton Building and Loan Association.
12. An act to incorporate the Tygert Valley Turnpike Road Company, in Greenup and Carter counties.
13. An act to incorporate Hawesville Lodge, No. 91, Independent Order of Odd Fellows.
14. An act for the benefit of John A. Howard, late sheriff of Harlan county.
15. An act to incorporate the town of Spottsville, in Henderson county.
16. An act for the benefit of the Cynthiana, Connersville and Scott County Turnpike Road Company.
17. An act to amend an act, entitled "An act to change the name and extend the limits of the town of Berry's Station, in Harrison county," approved March 16, 1869.
18. An act to incorporate the Corydon Lodge, No. —, Colored Benevolent Society.
19. An act for the benefit of W. T. Winstead, sheriff of Hopkins county.
20. An act authorizing the county court of Jefferson to pay the police of Beargrass municipality for their services.



21. An act to amend an act, entitled "An act to amend the charter of Jeffersontown, and establish a police court for said town."

22. An act to incorporate the Caverna and Bear Wallow Turnpike Road Company, in Hart and Barren counties.

23. An act to increase the jurisdiction of the police judge of Lancaster, Kentucky, in civil cases.

24. An act for the benefit of Samuel Tate, of Pulaski county.

25. An act for the benefit of E. F. Adkins, of Whitley county.

26. Resolution providing an adjournment *sine die* on Monday, 13th inst.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 15th, and 20th to the Committee on Finance; the 3d, 7th, 14th, and 19th to the Committee on Religion and Morals; the 4th, 10th, and 12th to the Committee on Banks and Insurance; the 5th, 13th, 17th, and 23d to the Committee on Internal Improvement; the 6th, 11th, 21st, 22d, and 24th to the Committee on Courts of Justice; the 8th to the Committee on Education; the 16th, 18th, and 25th to the Committee on the Judiciary, and the 26th, the resolution, was placed in the orders of the day.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Blackburn, from the Committee on Charitable Institutions—

An act to amend an act, entitled "An act to incorporate the Ancient Order of United Workmen."

By Mr. Leslie, from the Committee on Courts of Justice—

An act to amend section 6, chapter 75, General Statutes, for the benefit of the sheriffs of Metcalfe and Monroe counties.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill for the benefit of licensed owners of stud-horses, jacks, and bulls, in Madison and Garrard counties.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

By same—

A bill to incorporate the Central Coal and Iron Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Garnett, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act for the benefit of keepers of licensed stud-horses, jacks, and bulls;"

An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes;

An act to amend the charter of the Covington Transfer Company;

An act to amend the charter of the Covington and Taylor's Mill Turnpike Road Company;

An act for the benefit of the Independence and Colemansville Turnpike Road Company;

An act to change the location of a part of the turnpike road between Stanford and Crab Orchard;

An act for the benefit of Jonathan Russell, sheriff of Casey county;

An act for the benefit of John Boyd, sheriff of Lyon county;

An act for the benefit of H. O. Merriman and others;

An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Lagrange," approved February 25, 1869;

An act incorporating the Kentucky Agricultural Company;

An act to amend the charter of the town of New Columbus, in Owen county;

An act to amend the charter of the town of Stanford;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act regulating the duties of trustees, &c., in certain cases;

An act for the benefit of George E. Johnston, sheriff of Taylor county;

An act to amend the charter of the Orangeburg and Tollsboro Turnpike Road, in Mason county;

An act to amend an act, entitled "An act to provide an additional voting precinct in Cumberland county," approved March 16, 1870;

An act for the benefit of S. S. Faris, former sheriff of Barren county;

An act to amend an act to incorporate the Elizaville Station and Mayslick Turnpike Road Company;

An act to repeal an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869, so far as the same applies to the county of Floyd;

An act for the benefit of the Caldwell Female Institute, of Danville, Kentucky;

An act to incorporate the Avery Institute;

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Mount Sterling;

An act to amend an act, entitled "An act to incorporate the Chaplin and Bloomfield Turnpike Road Company;"

An act for the relief of the sheriff of Ballard county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville;"

An act to incorporate the Cemetery Company of Browinski Lodge, No. 84, I. O. O. F., in Carroll county;

An act to repeal the charter of the town of Corydon, Henderson county, and reincorporate the same;

An act to increase the county levy of Boyle county;

An act to incorporate the Richmond Hotel Company;

An act for the benefit of Charles Wickliffe, late sheriff of Muhlenburg county;

An act for the benefit of the sheriff of Allen county;

An act to authorize the Owen county court to sell the poor-house in that county;

An act to authorize the county court of Boone county to sell and convey the old jail lot;

An act to incorporate the Edna Lead and Silver Mining and Manufacturing Company;

An act to amend the charter of Owingsville, Bath county;

An act to incorporate the Lawrenceburg and Camdenville Branch Road Turnpike Company, in Anderson county;

An act to amend an act, entitled "An act to incorporate the town of Weston, in Crittenden county;"

An act to create the office of county treasurer for Barren county;

An act for the benefit of Wm. Thomas, sheriff of Lee county;

An act to amend article 2, chapter 33, General Statutes, for the benefit of Metcalfe county;

An act in relation to the county levy of Union county;

An act to amend an act, entitled "An act to incorporate the Winchester, Colbyville, and Lexington Turnpike Road Company;"

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Garnett reported that the committee had performed that duty.

The following petitions were presented, viz :

By Mr. Lindsay—

Petition of sundry citizens of Owen, Grant, Harrison, and Scott counties, praying the passage of a law prohibiting the sale of spirituous liquors in the vicinity of Corinth, in Grant county.

By same—

The petition of sundry citizens of Owen county, residing near Big Eagle creek, in said county, praying the passage of an act for the protection of fish in said stream.

Which were received, the reading dispensed with, and referred—the 1st to the Committee on Religion and Morals, and the 2d to the Select Committee on Fish Culture.



A message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the Senate, entitled

An act in relation to the offices of Adjutant and Quarter-Master General. •

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Tyler then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. R. G. Hays moved to reconsider the vote by which the Senate had, on yesterday, passed a bill from the House of Representatives, entitled

An act to tax the accumulated surplus fund of banks and other moneyed corporations of loan and discount in this Commonwealth.

Which motion was simply entered.

Mr. R. G. Hays also moved to reconsider the vote by which the Senate had, on yesterday, passed a bill from the House of Representatives, entitled

An act giving the sheriff of Pike county two months further time to pay the revenue of Pike county for the year 1876.

Which motion was simply entered.

Mr. Tyler moved to reconsider the vote by which the Senate had, on yesterday, passed a bill from the House of Representatives, entitled

An act to amend the charter of the town of Lockport, in Henry county.

Which motion was simply entered.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to authorize courts of claims to impose a tax upon dogs for county purposes.

Mr. Wright then moved an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Simmons, from the Committee on the Judiciary, to whom was referred leave to bring in

A bill to create the office of phonographic reporter in the 7th judicial district.

Asked to be discharged from the further consideration of the leave.

Which was granted.

Mr. Goodloe from the Committee on General Statutes, reported

A bill regulating tax on circuses, menageries, theatres, &c., in Kentucky.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Said bill was then amended.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate resumed the consideration of the unfinished report of yesterday from the Committee on the Judiciary, it being a bill from the House of Representatives, entitled

An act to regulate the pay of witnesses in criminal cases.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That no policeman, town marshal, sheriff, clerk of a court, deputy clerk of a court, jailer, grand or petit juror, or attorney at law, shall be allowed anything for attendance as a witness in any criminal case tried in the county in which he resides.

§ 2. That this act shall take effect from its passage.

The question was then taken on the adoption of the amendment proposed by Mr. Simmons, which reads as follows, viz :

“Strike out in the first section the words ‘policeman, town marshal,’ and add to the end of said section the following, viz : ‘*Provided*, that the provisions of this act shall not apply to county court clerks or their deputies.’”

Mr. Swoope called for a division of the question.

The question was first taken on striking out the word “policeman,” and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simmons and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

P. F. Edwards,	S. H. Jenkins,	Joseph B. Read,
Duncan Harding,	D. H. Lindsay,	Robert Simmons,
R. G. Hays,	R. B. Lovel,	W. L. Vories—9.

Those who voted in the negative, were—

Pollock Barbour,	W. W. Culbertson,	C. N. Pendleton,
Wm. J. Berry,	Andrew J. Ewing,	J. H. Stanley,
James Blackburn,	Joseph Gardner,	G. W. Swoope,
Robert A. Briggs,	James B. Garnett,	E. W. Turner,
Scott Brown,	Wm. Cassius Goodloe,	H. A. Tyler,
F. L. Cleveland,	Sumner Marble,	George Wright—18.

The question was then taken on striking out the word “town marshal,” and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simmons and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—

P. F. Edwards,	S. H. Jenkins,	J. H. Stanley,
Andrew J. Ewing,	D. H. Lindsay,	E. W. Turner,
Duncan Harding,	R. B. Lovel,	H. A. Tyler,
R. G. Hays,	Robert Simmons,	W. L. Vories—12.

Those who voted in the negative, were—

Pollock Barbour,	F. L. Cleveland,	C. N. Pendleton,
Wm. J. Berry,	W. W. Culbertson,	Joseph B. Read,
James Blackburn,	Joseph Gardner,	G. W. Swoope,
Robert A. Briggs,	James B. Garnett,	George Wright—14.
Scott Brown,	Sumner Marble,	

The question was then taken on the proviso of said amendment, exempting county court clerks and their deputies from the provisions of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simmons and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—

Scott Brown,	R. G. Hays,	R. B. Lovel,
P. F. Edwards,	George B. Hodge,	Joseph B. Read,
Andrew J. Ewing,	S. H. Jenkins,	Robert Simmons,
Joseph Gardner,	J. R. Leslie,	G. W. Swoope,
James B. Garnett,	D. H. Lindsay,	E. W. Turner—16.
Duncan Harding,		

Those who voted in the negative were—

Pollock Barbour,	F. L. Cleveland,	J. H. Stanley,
Wm. J. Berry,	W. W. Culbertson,	H. A. Tyler,
James Blackburn,	Wm. Cassius Goodloe,	W. L. Vories,
Robert A. Briggs,	Sumner Marble,	George Wright—12.

Mr. Jenkins then moved to amend said bill by inserting after the word “marshal,” in the first line of the first section, the following, viz:

"That lives within three miles of the court-house in which the cause is tried and."

Which was adopted.

*Ordered*, That said bill be read a third time.

Said bill was read a third time.

Mr. Cleveland then moved to dispense with the rule of the Senate in order to place said bill upon its passage.

And the question being taken on the adoption of said motion, it was decided in the negative, not having received the required four-fifths majority.

The yeas and nays being required thereon by Messrs. Read and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	C. N. Pendleton,
James Blackburn,	Wm. Cassius Goodloe,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	G. W. Swoope,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—21.

Those who voted in the negative, were—

Scott Brown,	R. B. Lovel,	E. W. Turner,
W. W. Culbertson,	Joseph B. Read,	W. L. Vories—7.
R. G. Hays,		

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act regulating practice in civil cases.

Which amendments were twice read and concurred in.

Said amendments read as follows, viz :

Amend section 298 by adding thereto the following words: "Provided, that such order shall not be superseded."

Amend section 392 by striking out the word "the," in third line, and inserting in lieu thereof the word "each," and after the word "and," in same line, insert the word "each;" and also strike out from and including the word "or," in third line, down to and including "&c.," in the fifth line.

Amend section 444 by adding thereto the following: "And the service of the notice shall be regarded as the commencement of the proceeding."

Amend section 765 by striking out all of said section after the word "cases," in the first line.

The Senate also took up for consideration the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled



An act regulating practice in criminal cases.

Which amendments were twice read and concurred in.

Said amendments read as follows, viz :

Amend section 258 by striking out all after the word "law," in third line.

Amend section 284 by striking out all after the word "inflicted," in second line, and insert in lieu thereof the words "as found by the verdict of the jury or fixed by law."

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the three Lunatic Asylums of this State shall be, and are hereby, continued, under their present organization and the control of their present commissioners; and the commissioners, superintendents, stewards, and other officers shall hold their offices for the term for which they were respectively appointed, but subject to removal according to law. Each asylum is declared to be a body-politic and corporate, for the benefit of the State—that at Lexington, by the name of the Eastern Kentucky Lunatic Asylum; that at Hopkinsville, by the name of the "Western Kentucky Lunatic Asylum;" and that at Anchorage, by the name of the "Central Kentucky Lunatic Asylum;" and as such shall have perpetual succession; may have and use a common seal; may make contracts; may sue and be sued; may receive any gifts or devise in aid of objects of its institution; and shall have all other rights and powers, incident to corporations, which are necessary and proper for carrying out the purposes for which it was established. The said corporations are severally invested with the title to all the property and rights of action now held by the institutions respectively.

§ 2. The board of commissioners for each asylum shall be composed of nine discreet business men, residing within six miles of the asylum, appointed by the Governor, by and with the advice and consent of the Senate, and he may fill vacancies that happen, in the recess of the Senate, by granting commissions, which shall expire at the end of its next session. The term of office of each commissioner shall be six years, except the boards appointed first after the passage of this act. The board of commissioners of each and every of said asylums, at their first meeting, which shall be held at their respective asylums on the first day of May, 1876, shall divide by lot their respective boards into three classes; three commissioners shall be allotted to each class, and the seats of the first class shall be vacated on the first day of January, 1878, that of the second class vacated two years thereafter, that of the third class vacated four years thereafter from the first of January, 1878, and so one class of three commissioners shall vacate every two years. Each commissioner, before entering upon the trust, shall take an oath that he will well and faithfully discharge the duties thereof.

§ 3. 1. The commissioners shall elect one of their own number president of the board. A majority shall constitute a quorum, but a concurrence of not less than a majority of all the board shall be necessary for

the allowance of any claim or the transaction of any other business ; and such proceedings shall not then be binding until the record thereof shall have been approved and signed by the president, and countersigned by the secretary.

II. They shall have the general management and control of all the land, buildings, funds, books, papers, and other effects and property of their respective asylums, and shall cause them to be used and applied in the way best calculated, in their judgment, to promote the objects for which the institution was established. They shall cause all State appropriations to be used as directed by law, and all private donations and grants to be sacredly applied to the purposes specified by the donors or the grantors ; but the State reserves full control over the institutions, their officers, and affairs.

III. They shall make such by-laws and regulations as they may deem necessary for the government of the institutions and of all officers and employees connected with them.

IV. They shall hold regular meetings at the asylums at least once in each month, and oftener, if the interests of the institutions shall require. Meetings may be called by the president or any two commissioners. They shall maintain a vigilant inspection of the asylums, for which purpose one of them shall visit them every week, two in each month, a majority in each quarter, and the whole board once in every six months, in the manner and at times to be prescribed by the by-laws. The visiting commissioners shall note in a book kept for the purpose the date of each visit, the condition of the house, patients, &c., with such remarks as may be deemed necessary. Any commissioner who cannot or will not comply with his duty as visitor for three months shall vacate his office, and the president shall report the same to the Governor, who shall fill the vacancy.

V. They shall appoint a secretary and treasurer and matron for the term of four years, and may remove them at their discretion, and fill their places with others. No secretary or treasurer shall be a member of the board of commissioners, and no commissioner nor other officer shall sell anything to the asylums nor make with them any contracts in which he is directly or indirectly interested, nor shall the office of secretary and treasurer be held by one and the same person.

VI. They shall keep a record of all their proceedings which, together with the books of the secretary, treasurer, and steward, and other officers, and all books and papers of the institutions, shall always be open to the inspection of the superintendent or any commissioner, the Governor, a committee of the Legislature, or any person appointed by either the Governor or the Legislature for their examination.

§ 4. There shall be for each asylum a medical superintendent, who shall be a skillful physician, and a steward ; and for the Eastern Kentucky asylum a first and a second assistant physician ; and for the Central Kentucky asylum one assistant physician. These officers shall reside in the asylum. They shall be appointed by the Governor, by and with the advise and consent of the Senate ; and he may fill vacancies that happen during the recess of the Senate, by granting commissions that shall expire at the end of its next session. Their term of office shall be four years ; but they shall be subject to removal by the Governor at his discretion. These officers, and also the treasurer and matron, shall receive such compensation as is now provided by law, except as otherwise provided herein ; and the salaries of all officers shall be paid out of the general appropriation made by the State for the support of the institution.

§ 5. I. The medical superintendent shall have the general management, supervision, and control of the asylum and patients, subject to the regulations of the board of commissioners, and shall devote his entire time thereto. He shall keep a register of all patients, showing their names, ages, residences, dates of reception and discharge or death, by whose authority received or discharged, and whether they are pay patients or paupers.

II. The superintendent shall appoint all such other inferior officers and employees (not otherwise provided for in this act) as he may deem necessary for the proper management of the institution, and he may remove any of them at pleasure and fill their places with others.

III. It shall be the duty of the superintendent to appoint a receiver, to be approved by the commissioners, whose duty it shall be to receive all goods and supplies of any and all kinds purchased for the use of the asylum; take charge of them, see that they correspond with the bills accompanying them in character, quantity, and quality; weigh or measure the same, and distribute them to each and every department of the asylum as the superintendent may direct by written order; and in a book kept for the purpose open an account with each and every department, charging therein cost price for all goods so received and distributed. This book shall be open at any and all times for the inspection of the superintendent, any commissioner, and of the Governor, a committee of the Legislature, or any person appointed by either for the examination.

§ 6. In case of the sickness or absence of the superintendent, his duty shall be discharged by the first assistant physician; and if the first assistant be absent or sick, then by the second assistant physician, if there be any.

§ 7. The treasurer, before acting as such or receiving any funds of the institution, shall execute covenant to the Commonwealth in the sum of thirty thousand dollars, with sufficient sureties approved by the Governor, and by the respective county judges of the county in which the asylum is situated, for the safe-keeping and proper disbursement and appropriations of all money, and other means and effects, which may come to his hands as such, and for the faithful discharge of all other duties devolved upon him. These covenants shall be renewed once in every two years, and oftener if required by the board. Suit for any breach thereof may be brought, in the name of the Commonwealth, for the use of the asylums, and of any person interested, upon order of the board of commissioners.

§ 8. I. The treasurer, under the order of the board of commissioners, shall receive from the Treasurer of the State all moneys appropriated for the use of the asylum, and receipt to him therefor. It shall be his duty, also, to receive collect, sue for, and pay out all moneys due and belonging to the asylum, and he shall settle his accounts with the board at least once in every three months, and with the Auditor in the month of December of every year.

II. He shall make to the Governor, quarterly, a report of the financial condition of the asylum, including a detailed statement of the income and expenditures for the quarter.

III. He shall keep all the money coming to his hands as treasurer to his credit as such in one of the banks incorporated by the laws of this Commonwealth. It shall be unlawful for him to appropriate any part of it to his own use, or to lend any of it to any other person, or to pay out or disburse any of it, whether in liquidation, in whole or in part, of any claim against the asylum, or for any other object whatever, except upon



the warrant of the president, countersigned by the secretary; or to check or draw any of it out of bank, except for the payment of such warrants after they have been drawn; and for all violations of these prohibitions he and his sureties are made liable on his official bond for the amount of the sum or sums so unlawfully appropriated, lent, paid, disbursed, checked, or drawn out, with ten per cent. damages, recoverable in any court of competent jurisdiction in this Commonwealth.

IV. He shall keep true and complete books of account of all his financial transactions, incident to the management of the asylum, specifying whence received, and for what expended, and of all sums receivable and payable.

§ 9. I. No amount or claim of any kind brought against either of the asylums, whether by an officer thereof or any other person, shall be paid in whole or in part until it shall have been first examined and indorsed by the superintendent and submitted to the board of commissioners and determined by them to be just and right, and directed to be paid by an order entered on the record of its proceedings; and the president shall not issue any warrant on the treasurer, except for the amounts of claims which have been so submitted to the board, allowed by it, and ordered to be paid.

II. Whenever he shall issue any such warrant he shall cause the number, date, and amount thereof, and the name of the person in whose favor it is made, to be entered by the secretary in a separate book to be kept for that purpose; and whenever he shall receive any money for the use of the asylum, he shall cause the same to be entered by the secretary in said separate book, but in a different part of it, stating the amount of money, the character and amount of means, and when and from whom received, and thereupon he shall deposit said money and other means (of whatever character they may be) with the treasurer and take his receipt therefor, and preserve it as a voucher.

§ 10. I. The steward, by direction of the superintendent, shall purchase and furnish to the asylum all needed supplies of every description, and shall consult him as to the character, quantity, and quality of all such supplies. They shall be bought where they can be bought cheapest, due regard being paid to quality as well as price. He shall not draw on the treasurer for money to pay for such supplies, in whole or in part, but shall cause itemized accounts of the same to be made, in the names of the sellers, against the asylum, setting forth separately the date of purchase and the name and price of each article of purchase, and shall present these accounts, indorsed by the superintendent, to the board of commissioners for allowance. And he shall carefully enter in a book kept for the purpose the number, dates, and amounts of the warrants issued by the president for payment of the accounts for supplies purchased by him, and the names of the persons in whose favor they are made.

II. He shall have charge of the farm and garden attached to the asylum, and shall have and control the cultivation and management of the same, subject to the regulations of the board of commissioners. Within the first week after entering upon his duties, he shall take and file a complete inventory of all the crop on hand, live stock, farming utensils, vehicles, and all other effects properly pertaining to the farm and garden, and shall preserve and be responsible for these and for all subsequent products of the farm and garden, and all other stock and effects that may come into his charge in the management thereof, and none of them shall be taken therefrom without the knowledge and consent of the superintendent.



III. It shall be his duty to furnish for the asylum such supplies from the farm and garden as can be provided therefrom, and to present monthly to the secretary written statements of the kinds, amounts, and market value of the supplies so furnished, verified by certificates from the officers through whose hands they have passed. These statements shall be entered in the books of the secretary and steward, and filed and kept by the latter as vouchers.

IV. No stock or produce of the farm or garden shall be sold by the steward without authority from the board of commissioners; and when sales are made, he shall pay and deliver the proceeds to the treasurer, and take his receipt therefor, specifying what was sold, to whom, and for what price. These receipts shall be recorded in the books of the secretary and steward, and filed and kept by the latter in his office as vouchers.

V. It shall be the duty of the steward to keep a complete record of all his official acts, and to report them to the Governor monthly along with the statement of the condition of the farm and garden, and the number, character, and condition of the stock under his care and control. He shall annually, during the month of November, make and render to the board of commissioners a true and perfect inventory, verified by oath, of all the personal property of every description belonging to the asylum, with the estimated value of the various articles.

VI. Before entering on the duties of his office, he shall give a covenant to the Commonwealth, with good security, worth four thousand dollars, approved by the county judge of his county, for the faithful discharge of his duties; which covenant shall be filed with and preserved by the secretary. The steward hereafter appointed to either of the lunatic asylums in Kentucky, shall receive for his services the sum of eight hundred dollars per annum, and his board and lodging at the asylum, or in lieu of said board and lodging, a reasonable allowance to be made by the commissioners; but the family, if any, of the present steward, or those hereafter appointed, shall not be supported by the asylum fund, nor shall said family in any way be a tax thereon.

§ 11. It shall be the duty of the Governor, whenever, in his opinion, the interest of the Commonwealth demands, to appoint a special auditor to inspect the books and the accounts kept in either Asylum, and report its true financial condition and management as respects receipts and disbursements, and the propriety thereof.

§ 12. The commissioners and all officers of the Asylum, and the servants of the Asylum, shall be exempt from militia duty, from working on the public highway, and from serving on any jury. Nor shall the officers and servants be required to give personal attendance as witnesses in any civil suit out of the county in which the Asylum is situated, but their depositions shall be taken in lieu thereof.

§ 13. Under no circumstances shall it be permitted that, by the reception of pay patients from other States, the Asylum be so crowded that any delay shall be incurred in the immediate reception into the Asylum of patients resident in this Commonwealth, either paying or pauper.

§ 14. No private patient, who has not been found to be insane by regular inquest, shall be received into either of said Asylums. Nor shall any patient be discharged as cured, or delivered into custody of friends, whose friends have placed him in the Asylum, but by permit of superintendent and two commissioners. Any cured patient who was committed to the Asylum, whilst in custody of the law upon a criminal charge, shall be delivered to the Keeper of the Penitentiary, or to the jailer of the county whence he came, as the case may require. A cured pauper, before being

discharged, shall have a good suit of clothes, and be furnished with money enough to pay his traveling expenses back to home, not exceeding twenty dollars.

§ 15. The commissioners may charge for board of paying patients any sum, in their discretion, not exceeding four dollars per week; and when the estate of the patient warrants it, his committee may contract for his receiving special comforts, and being exempt from work, at an additional rate, not exceeding five dollars per week.

§ 16. No patients, except those who are paupers, according to the provisions of section 5, article 2, chapter 53, of the General Statutes, and of any amendments which may be made thereto, or who have been, or may be, sent to the Asylum, by order of the court, upon an acquittal of crime, on the ground of insanity, shall be received or retained in either of the Lunatic Asylums of this State, unless six months' board be always paid in advance, and board for the residue of the time they may remain in the Asylum be secured by the obligation of one or more sufficient residents of this State; and the courts or officers shall make their orders for the committal of all patients (with the above exceptions) to the Asylums conditional upon such prepayment being made and security given. But if the patient be discharged or die before the expiration of the six months paid for, a proper portion of the amount paid shall be refunded.

§ 17. No married person of unsound mind shall be held a pauper under the provisions of the aforesaid section of the General Statutes, unless it shall be found upon the inquest, in addition to the other facts required, that such person's husband or wife (as the case may be), if living, has not sufficient estate to support the person of unsound mind, besides supporting others who may be dependent on such husband or wife; and the court or officer holding the inquest shall require the jury to return a finding on this subject.

§ 18. Where patients, who have been or may be supported in either of said Asylums, have or shall acquire estate which can be subjected to debt, the Board of Commissioners of such Asylum is authorized and directed, in every such case, to sue for, in the name of the Asylum, and recover the amount of such patient's board, at the rate of two hundred dollars per year, or so much thereof as such estate will suffice to pay, for the time they shall have been respectively kept and maintained therein, and not otherwise paid for; and by proper proceeding to subject their estates respectively to the payment thereof; and when the husband or parent of any such patient, who has been or may be supported in either Asylum, shall have estate sufficient for the support of such patient, in addition to the support of any others who may be dependent on such husband or parent, the board of commissioners is authorized and directed, in like manner, to sue and recover from such husband the amount of his wife's board, and from such parent the amount of his or her child's board, at the rate aforesaid, for the time they shall have been respectively supported by such asylum.

§ 19. Actions in behalf the Asylum may be instituted in any court of this Commonwealth, in which the same would be proper as between individuals.

§ 20. The superintendent and board of commissioners shall, on or before the first of November in each year, make a report to the Governor of the condition of the Asylum under their charge, exhibiting the amounts of income and expenditure, for what the expenditures were made, the number and names of the patients (distinguishing pauper from pay patients, and specifying the places from which they came), the number received and

discharged each year, with such other facts and suggestions as they may deem important, which report the Governor shall communicate to the Legislature at its next regular session.

§ 21. The president of the board of commissioners and the superintendent of each Asylum shall, every three months, jointly certify, on oath, to the Auditor of Public Accounts, the number of patients actually supported in the Asylum, specifying the number of paupers, of those who pay in full, and those who pay in part, and the amount paid in part by each. Thereupon the Auditor shall draw his warrants on the State Treasury in behalf of such Asylum for a sum equal to two hundred dollars a year for each pauper patient so supported, and for so much in addition as will, when added to the sum paid by those partially dependent on the charity of the Commonwealth, be equal to two hundred dollars for each patient; the sums herein mentioned to be drawn in advance. But it is to be understood that out of this permanent appropriation the board of commissioners shall pay for all repairs to and expenses of the Institution, and the salaries and wages of all officers and employees, but not the expenses of conveying patients to the Asylum. And they shall incur no liability on behalf of the State for any purpose beyond the amount received from the Treasury and from pay patients.

§ 22. The expenses of conveying pauper patients to the Asylum shall be paid to the persons conveying them by warrant of the Auditor on the Treasurer of the State; the sum due for conveyance to be certified by the superintendent of the Asylum to which the patient is carried. Only one person shall be paid for conveying any patient, unless the court shall say that an additional guard or guards are necessary; and the cost shall not exceed six cents per mile for the guard or guards and patient, each, going, and six cents per mile for the guard returning; the distance to be estimated by the nearest usual route of travel. If the patient cannot be received by the Asylum, six cents per mile for his or her returning shall also be allowed. But no allowance shall be made for such expense of either guard or patient to or from the Asylum, unless either an application has been made, first by letter to the superintendent, or an order of court made to carry the patient to the Asylum immediately pursuant to the provisions of section 21 of article 2, chapter 53, of the General Statutes, entitled "Idiots and Lunatics."

§ 23. If the necessities of the institution should demand the temporary employment of additional physicians, the board of commissioners may order the employment of not exceeding two, who may thereupon be appointed by the superintendent, by and with the advice and consent of the board. Their employment shall be subject to be terminated by the board when it thinks proper.

§ 24. The board of commissioners may effect and keep insurances for reasonable amounts upon the Asylum buildings, with some good insurance company or companies, and pay the premiums out of the funds of the Institution.

§ 25. I. White lunatics and idiots resident in Kentucky, and found in the counties of Kenton, Grant, Owen, Franklin, Anderson, Mercer, Boyle, Lincoln, Pulaski, and Whitley, or any county east of these, when sent to an Asylum, shall go to and be received under the legal requirements by the Eastern Kentucky Lunatic Asylum, if there be room therein. Those found in any county west of these, and east of the counties of Breckinridge, Grayson, Edmonson, Barren, and Allen, shall be sent to, and in like manner received by, the Central Kentucky Lunatic Asylum; and those found in the counties last named, and the residue of the State, shall be



sent to, and in like manner received by, the Western Kentucky Lunatic Asylum.

II. Colored lunatics and idiots resident in Kentucky, and found in the counties of Kenton, Grant, Owen, Franklin, Anderson, Washington, Marion, Taylor, Adair, Russell, and Clinton, or any county east of these, if sent to an Asylum, shall go to, and be received under the legal requirements by, the Eastern Kentucky Lunatic Asylum, if there be room therein. Those from the rest of the State shall be sent to, and in like manner received by, the Central Kentucky Lunatic Asylum.

III. Whenever the number of patients sent to either Asylum is greater than can be properly accommodated and cared for in that Institution, and there is at the time capacity for the reception and care of the patient at either of the others, it shall be the duty of the commissioners and superintendent of such other, to receive as many of those rejected at the former, for want of room, as can be properly accommodated. When, upon application to the proper Asylum, the patient is rejected for want of room, immediate application shall be made to another: *Provided, however*, That colored patients shall only be sent to or kept by the Eastern and Central Asylums: *And provided also*, That the white and colored patients shall not be kept in the same buildings.

IV. The Governor is empowered and directed to take care that each of the asylums is kept full to its utmost capacity of such patients as are receivable by it, as long as any such patients in the State are unprovided for, and that each receives its due proportion of the patients in excess of the ordinary capacity of the Asylum.

§ 26. No order shall be made by any court or officer for sending a pauper idiot to an asylum, nor shall such idiot be received therein unless the jury, by their verdict, on the inquest, shall find that he is so dangerous or uncontrollable that he cannot be safely and properly kept by a committee within the county.

§ 27. I. In order to relieve the State from an undue accumulation of patients, the several asylums may send back to counties of their residence, or whence they came, any idiots who are now, or may hereafter be, in such asylums, and who, in the judgment of the commission herein authorized, can be safely and properly kept by a committee within their counties. The president of the board of commissioners of each asylum, the superintendent, and one other of the commissioners, to be from time to time appointed by the board, as necessity may arise, shall constitute a commission to act upon such cases as the superintendent may propose to send back. They shall investigate each case carefully and thoroughly; and if, after such investigation, they shall all concur in opinion that any specific patient is so quiet, harmless, and governable, and his physical condition is such that he can be safely and properly kept by a committee within the county, they shall, in each case, make duplicate certificates of their determination, signed by them all, one to be filed and kept by the superintendent, the other to be sent with the patient.

II. Thereupon it shall be the duty of the superintendent to send each paying patient, as to whom such certificate shall be made, back to the county of his residence, or whence he came, and deliver him, with one of said certificates, to his committee, if there be one; if there be no committee, then to his friends who have provided for his support; and he shall send each pauper patient, as to whom such certificate shall be made, back to the county of his residence or whence he came, during the term of the court having general equity jurisdiction therein, to be brought before said court, that it may provide for his custody and support. The



certificate of the commission aforesaid, and a copy of the original inquest papers, if remaining at the asylum, shall be sent along with the patient, and presented to the court; and it shall be the duty of the attorney for the Commonwealth, or, in his absence, the county attorney, to procure the proper steps to be taken in such cases.

III. The courts, in cases brought before them under these provisions, shall take proper proceedings and made the proper orders for the custody and support of such idiots.

IV. The said courts shall have power to direct such pauper idiots to be kept in the poor-house of the county, if there be one; and in such cases the allowances for their support shall be paid to the receiver of the poor-house, who shall be liable on his official bond for a faithful appropriation and just account thereof.

V. The foregoing provisions apply equally to male and female patients.

§ 28. The provisions of this act, so far as they are the same in substance as those of existing laws, are declared, and shall be construed, to be a continuation of such laws, and not as new enactments; and the provisions of chapter 53 of the General Statutes, entitled "Lunatic Asylums," and those of "An act concerning the various charitable institutions of this Commonwealth," approved April 21st, 1873, so far only as they relate to and effect the lunatic asylums, are hereby repealed, except such of them as are continued and renewed in and by this act; and all acts and parts of acts in conflict with the provisions of this act are repealed.

§ 29. This act shall take effect one month from its passage.

Mr. Turner then proposed the following amendment as a substitute for said bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the three Lunatic Asylums of this State shall be, and are hereby, continued, under their present organization and the control of their present commissioners; and the commissioners, superintendents, stewards, and other officers shall hold their offices for the term for which they were respectively appointed, but subject to removal according to law. Each asylum is declared to be a body-politic and corporate, for the benefit of the State—that at Lexington, by the name of the "Eastern Kentucky Lunatic Asylum;" that at Hopkinsville, by the name of the "Western Kentucky Lunatic Asylum;" and that at Anchorage, by the name of the "Central Kentucky Lunatic Asylum;" and as such shall have perpetual succession; may have and use a common seal; may make contracts; may sue and be sued; may receive any gifts or devises in aid of objects of its institution; and shall have all other rights and powers, incident to corporations, which are necessary and proper for carrying out the purposes for which it was established. The said corporations are severally invested with the title to all the property and rights of action now held by the institutions respectively.

§ 2. The board of commissioners for each asylum shall be composed of nine discreet business men, residents of the county appointed by the Governor, by and with the advice and consent of the Senate, and he may fill vacancies that happen, in the recess of the Senate, by granting commissions, which shall expire at the end of its next session. The term of office of the commissioners hereafter appointed shall be six years, and until their successors shall be appointed and qualified. Each commissioner,

before entering upon the trust, shall take an oath that he will well and faithfully discharge the duties thereof.

§ 3. I. The commissioners shall elect one of their own number president of the board. A majority shall constitute a quorum, but the concurrence of not less than a majority of all the board shall be necessary for the allowance of any claim or the transaction of any other business; and such proceedings shall not then be binding until the record thereof shall have been approved and signed by the president, and countersigned by the secretary.

II. They shall have the general management and control of all the lands, buildings, funds, books, papers, and other effects and property of their asylum, and shall cause them to be used and applied in the way best calculated, in their judgment, to promote the objects for which the institution was established. They shall cause all State appropriations to be used as directed by law, and all private donations and grants to be sacredly applied to the purposes specified by the donors or grantors; but the State reserves full control over the institution, its officers, and affairs.

III. They shall make such by-laws and regulations as they may deem necessary for the government of the institution and of all officers and employees attached to it.

IV. They shall hold regular meetings at the asylum at least once in each month, and oftener, if the interests of the institution shall require. Meetings may be called by the president or any two commissioners. They shall maintain a vigilant inspection of the asylum, for which purpose one of them shall visit it every week, two in each month, a majority in each quarter, and the whole board once in every six months, in the manner and at times to be prescribed by the by-laws. The visiting commissioners shall note in a book kept for the purpose the date of each visit, the condition of the house, patients, &c., with such remarks as may be deemed necessary. Any commissioner who cannot or will not comply with his duty as visitor for three months shall vacate his office, and the chairman shall report the same to the Governor, who shall fill the vacancy.

V. They shall appoint a secretary, treasurer, and matron for the term of four years, and may remove any of them at their discretion, and shall appoint or provide for the appointment or employment of such other inferior officers and employees (not otherwise provided for in this act), as they may deem necessary, for the proper management of the institution, and may remove any of them at pleasure, and fill their places with others. No secretary or treasurer shall be a member of the board of commissioners, nor shall the office of secretary and treasurer be held by one and the same person.

VI. They shall keep a record of all their proceedings which, together with the books of the treasurer, steward, and other officers, and all books and papers of the institution, shall always be open to the inspection of any commissioner, and of the Governor, a committee of the Legislature, or any person appointed by either for the examination.

VII. No commissioner or other officer shall sell any thing to the asylum or make with it any contract, in which he is directly or indirectly interested.

VIII. It shall be the duty of the board of commissioners for each asylum to appoint a receiver, whose duty it shall be to receive all goods and supplies of any and all kinds purchased for the use of the asylum; take charge of them; see that they correspond with the bills accompanying them in character, quantity, and quality; weigh or measure the same, and

distribute them to each and every department of the asylum ; and in his disbursement he shall be under the control and direction of said commissioners ; and in a book kept for the purpose, open an account with each and every department, charging therein cost price for all goods so received and distributed. This book shall be open, at any and all times, for the inspection of the superintendent, any commissioner, and of the Governor, a committee of the Legislature, or any person appointed by either for the examination.

§ 4. There shall be for each asylum a medical superintendent, who shall be a skillful physician, and a steward ; and for the Eastern Asylum a first and a second assistant physician ; and for the Central a second assistant physician ; and for the Western Asylum one assistant physician. These officers shall reside in or near the asylum. They shall be appointed by the Governor, by and with the advise and consent of the Senate ; and he may fill vacancies that happen during the recess of the Senate, by granting commissions that shall expire at the end of its next session. Their term of office shall be four years ; but they shall be subject to removal by the Governor at his discretion. These officers, and also the treasurer and matron shall receive such compensation as is now provided by law ; and the salaries of all officers shall be paid out of the general appropriation made by the State for the support of the institution.

§ 5. The medical superintendent shall have the general management, supervision, and control of the patients, subject to the regulations of the board of commissioners, and shall devote his entire time thereto. He shall keep a register of all patients, showing their names, ages, residences, dates of reception and discharge or death, by whose authority received or discharged, and whether they are pay patients or paupers.

§ 6. In case of the sickness or absence of the superintendent, his duties shall be discharged by the assistant physician or first assistant physician, as the case may be ; and if he also be sick or absent, then by the second assistant physician, if there be one.

§ 7. The treasurer, before acting as such or receiving any funds of the institution, shall execute covenant to the Commonwealth in the sum of thirty thousand dollars, and with sufficient sureties approved by the county judge of his county and the Governor, for the safe-keeping and proper disbursement and appropriation of all money, and other means and effects, which may come to his hands as such, and for the faithful discharge of all other duties devolved upon him. This covenant shall be renewed once in every two years, and oftener if required by the board. Suit for any breach thereof may be brought, in the name of the Commonwealth, for the use of the asylums, and of any other person interested, upon the order of the board of commissioners.

§ 8. I. The treasurer, under the order of the board of commissioners, shall receive from the Treasurer of the State all moneys appropriated for the use of the asylum, and receipt to him therefor. It shall be his duty, also, to receive, collect, sue for, and pay out all moneys due and belonging to the asylum, and he shall settle his accounts with the board at least once in every three months, and with the Auditor in the month of December of every year.

II. He shall make to the Governor, quarterly, a report of the financial condition of the asylum, including a detailed statement of the income and expenditures for the quarter.

III. He shall keep all money coming to his hands as treasurer to his credit as such in one of the banks incorporated by the laws of this Commonwealth. It shall be unlawful for him to appropriate any part of



it to his own use, or to lend any of it to any other person, or to pay out or disburse any of it, whether in liquidation, in whole or in part, of any claim against the asylum, or for any other object whatever, except upon the warrant of the president, countersigned by the secretary; or to check or draw any of it out of bank, except for the payment of such warrants after they have been drawn; and for all violations of these prohibitions he and his sureties are made liable on his official bond for the amount of the sum or sums so unlawfully appropriated, lent, paid, disbursed, or checked, or drawn out, with ten per cent. damages, recoverable in any court of competent jurisdiction in this Commonwealth.

IV. He shall keep true and complete books of account of all his financial transactions, incident to the management of the asylum, including accounts of all receipts and expenditures, specifying whence received, and for what expended, and of all sums receivable and payable.

§ 9. I. No account or claim of any kind brought against either of the asylums, whether by an officer thereof or any other person, shall be paid in whole or in part until it shall have been first submitted to the board of commissioners and determined by the board to be just and right, and directed to be paid by an order entered in the record of its proceedings; and the president shall not issue any warrant on the treasurer, except for the amounts of claims which have been so submitted to the board, allowed by it, and ordered to be paid.

II. Whenever he shall issue any such warrant he shall cause the number, date, and amount thereof, and the name of the person in whose favor it is made, to be entered by the secretary in a separate book to be kept for that purpose; and whenever he shall receive any money or other means for the use of the asylum, he shall cause the same to be entered by the secretary in said separate book, but in a different part of it, stating the amount of money, the character and amount of means, and when and from whom received, and thereupon he shall deposit said money and other means (of whatever character they may be) with the treasurer and take his receipt therefor, and preserve it as a voucher.

§ 10. I. The steward, shall purchase and furnish to the asylum all needed supplies of every description. They shall be bought where they can be bought cheapest, due regard being paid to quality as well as price. He shall not draw on the treasurer for money to pay for such supplies, in whole or in part, but shall cause itemized accounts of the same to be made, in the names of the sellers, against the asylum, setting forth separately the date of purchase and the name and price of each article purchased and shall present these accounts, to the board of commissioners for allowance. And he shall carefully enter in a book to be kept for the purpose the numbers, dates, and amounts of the warrants issued by the president for payment of the accounts for supplies purchased by him, and the names of the persons in whose favor they are made.

II. He shall have charge of the farm and garden attached to the asylum, and superintend and control the cultivation and management thereof, subject to the regulations of the board of commissioners. Within the first week after entering on his duties, he shall take and file a complete inventory of all the crop on hand, live stock, farming utensils, vehicles, and all other effects properly pertaining to the farm and garden, and shall preserve and be responsible for these and for all subsequent products of the farm and garden, and all other stock and effects that may come into his charge in the management thereof, and none of them shall be taken therefrom without his knowledge and consent; and he shall, upon the order of the medical superintendent, furnish such extra diet and delicacies as



said superintendent shall deem necessary for the comfort of the patient or patients.

III. It shall be his duty to furnish for the asylum such supplies from the farm and garden as can be provided therefrom, and to present monthly to the secretary written statements of the kinds, amounts, and market value of the supplies so furnished, verified by certificates from the officers through whose hands they have passed. These statements shall be entered in the books of the secretary and steward, and filed and kept by the latter as vouchers.

IV. No stock or produce of the farm or garden shall be sold by the steward without authority from the board of commissioners; and when sales are made, he shall pay and deliver the proceeds to the treasurer, and take his receipt therefor, specifying what was sold, to whom, and for what price. These receipts shall be recorded in the books of the secretary and steward, and filed and kept by the latter in his office as vouchers.

V. It shall be the duty of the steward to keep a complete record of all his official acts, and to report them to the Governor monthly along with statement of the condition of the farm and garden, and the number, character, and condition of the stock under his care and control. He shall annually, during the month of November, make and render to the board of commissioners a true and perfect inventory, verified by oath, of all the personal property of every description belonging to the asylum, with the estimated value of the various articles.

VI. Before entering on the duties of his office, he shall give a covenant to the Commonwealth, with good security, worth four thousand dollars, approved by the county judge of his county, for the faithful discharge of his duties; which covenant shall be filed with and preserved by the secretary.

§ 11. It shall be the duty of the Governor, whenever, in his opinion, the interest of the Commonwealth demands, to appoint a special auditor to inspect the books and accounts kept in either Asylum, and report its true financial condition and management as respects receipts and disbursements, and the propriety thereof.

§ 12. The commissioners and all officers of the Asylum, and the servants of the Asylum, shall be exempt from militia duty, from working on the public highway, and from serving on any jury. Nor shall the officers and servants be required to give personal attendance as witnesses in any civil suit out of the county in which the Asylum is situated, but their depositions shall be taken in lieu thereof.

§ 13. Under no circumstances shall it be permitted that, by the reception of pay-patients from other States, the Asylum is so crowded that any delay shall be incurred in the immediate reception into the Asylum of patients resident in this Commonwealth, either paying or pauper.

§ 14. No private patient, who has not been found to be insane by regular inquest, shall be received except by the permission of a committee, composed of a majority of the commissioners and the superintendent, after personal inspection, and other proof as may be deemed necessary, of the insanity of the party. Nor shall any patient be discharged as cured, or delivered to the custody of friends, whose friends have placed him in the asylum, but by like permit. Any cured patient who was committed to the asylum, whilst in custody of the law upon a criminal charge, shall be delivered to the keeper of the penitentiary, or to the jailer of the county whence he came, as the case may require. A cured pauper, before being discharged, shall have a good suit of clothes, and be furnished with money

enough to pay his traveling expenses back to his home, not exceeding twenty dollars.

§ 15. The commissioners may charge for the board of paying patients any sum, in their discretion, not exceeding four dollars per week; and where the estate of the patient warrants it, his committee may contract for his receiving special comforts, and being exempt from work, at an additional rate, not exceeding five dollars per week.

§ 16. No patients, except those who are paupers, according to the provisions of section 5, article 2, chapter 53, of the General Statutes, and of any amendments which may be made thereto, or who have been, or may be, sent to the asylum, by order of the court, upon an acquittal of crime, on the ground of insanity, shall be received or retained in either of the lunatic asylums of this State, unless six months' board be always paid in advance, and board for the residue of the time they may remain in the asylum be secured by the obligation of one or more sufficient residents of this State; and the courts or officers shall make their orders for the committal of all patients (with the above exceptions) to the asylums conditioned upon such prepayment being made and security given. But if the patient be discharged or die before the expiration of the six months paid for, a proper portion of the amount paid shall be refunded.

§ 17. No married person of unsound mind shall be held a pauper under the provisions of the aforesaid section of the General Statutes, unless it shall be found upon the inquest, in addition to the other facts required, that such person's husband or wife (as the case may be), if living, has not sufficient estate to support the person of unsound mind, besides supporting others who may be dependent on such husband or wife; and the court or officer holding the inquest shall require the jury to return a finding on this subject.

§ 18. Where patients, who have been or may be supported in either of said Asylums, have or shall acquire estate which can be subjected to debt, the board of commissioners of such asylum is authorized and directed, in every such case, to sue for, in the name of the asylum, and recover the amount of such patient's board, at the rate of two hundred dollars a year, or so much thereof as such estate will suffice to pay, for the time they shall have been respectively kept and maintained therein, and not otherwise paid for; and by proper proceeding to subject their estates respectively to the payment thereof; and when the husband or parent of any such patient, who has been or may be supported in either Asylum, shall have estate sufficient for the support of such patient, in addition to the support of any others who may be dependent on such husband or parent, the board of commissioners is authorized and directed, in like manner, to sue and recover from such husband the amount of his wife's board, and from such parent the amount of his or her child's board, at the rate aforesaid, for the time they shall have been respectively supported in such asylum.

§ 19. Actions in behalf of the Asylum may be instituted in any court of this Commonwealth, in which the same would be proper as between individuals.

§ 20. The superintendent and board of commissioners shall, on or before the first of November in each year, make a report to the Governor of the condition of the Asylum under their charge, exhibiting the amounts of income and expenditure, for what the expenditures were made, the number and names of the patients (distinguishing pauper from pay patients, and specifying the places from which they came), the number received and discharged each year, with such other facts and suggestions as they may

deem important, which report the Governor shall communicate to the Legislature at its next regular session.

§ 21. The president of the board of commissioners and the superintendent of each Asylum shall, every three months, jointly certify, on oath, to the Auditor of Public Accounts, the number of patients actually supported in the Asylum, specifying the number of paupers, of those who pay in full, and those who pay in part, and the amount paid in part by each. Thereupon the Auditor shall draw his warrant on the Treasury in behalf of such Asylum for a sum equal to two hundred dollars a year for each pauper patient so supported, and for so much in addition as will, when added to the sum paid by those partially dependent on the charity of the Commonwealth, be equal to two hundred dollars for each patient; the sums herein mentioned to be drawn in advance. But it is to be understood that out of this permanent appropriation the board of commissioners shall pay for all repairs to and expenses of the Institution, and the salaries and wages of all officers and employees, but not the expenses of conveying patients to the Asylum. And they shall incur no liability on behalf of the State for any purpose beyond the amount received from the Treasury and from pay patients.

§ 22. The expense of conveying pauper patients to the Asylum shall be paid to the persons conveying them by warrant of the Auditor on the Treasurer of the State; the sum due for conveyance to be certified by the superintendent of the Asylum to which the patient is carried. Only one person shall be paid for conveying any patient, and the cost shall not exceed six cents per mile for the guard and patient, each, going, and six cents per mile for the guard returning; the distance to be estimated by the nearest usual route of travel. If the patient cannot be received by the asylum, six cents per mile for him returning shall also be allowed. But no allowance shall be made for such expense of either guard or patient to or from the Asylum, unless either an application has been made, first by letter to the superintendent, or an order of court made to carry the patient to the Asylum immediately pursuant to the provisions of section 21 of article 2, chapter 53, of the General Statutes, entitled "Idiots and Lunatics."

§ 23. If the necessities of the institution should demand the temporary employment of additional physicians, the board of commissioners may order the employment of not exceeding two, who may thereupon be appointed by the superintendent, by and with the advice and consent of the board. Their employment shall be subject to be terminated by the board when it thinks proper.

§ 24. The board of commissioners shall effect and keep insurances for reasonable amounts upon the Asylum buildings, with some good insurance company or companies, and pay the premiums out of the funds of the Institution.

§ 25. I. White lunatics and idiots resident in Kentucky, and found in the counties of Kenton, Grant, Owen, Franklin, Anderson, Mercer, Boyle, Lincoln, Pulaski, and Whitley, or any county east of these, when sent to an Asylum, shall go to and be received under the legal requirements by the Eastern Kentucky Lunatic Asylum, if there be room therein. Those found in any county west of these, and east of the counties of Breckinridge, Grayson, Edmonson, Barren, and Allen, shall be sent to, and in like manner received by, the Central Kentucky Lunatic Asylum; and those found in the counties last named, and the residue of the State, shall be sent to, and in like manner received by, the Western Kentucky Lunatic Asylum.



II. Colored lunatics and idiots resident in Kentucky, and found in the counties of Kenton, Grant, Owen, Franklin, Anderson, Washington, Marion, Taylor, Adair, Russell, and Clinton, or any county east of these, if sent to an Asylum, shall go to, and be received under the legal requirements by, the Eastern Kentucky Lunatic Asylum, if there be room therein. Those from the rest of the State shall be sent to, and in like manner received by, the Central Kentucky Lunatic Asylum.

III. Whenever the number of patients sent to either Asylum is greater than can be properly accommodated and cared for in that Institution, and there is at the time capacity for the reception and care of the patients at either of the others, it shall be the duty of the commissioners and superintendent of such other, to receive as many of those rejected at the former, for want of room, as can be properly accommodated. When, upon application to the proper Asylum, the patient is rejected for want of room, immediate application shall be made to another: *Provided, however,* That colored patients shall only be sent to or kept by the Eastern and Central Asylums: *And provided also,* That the white and colored patients shall not be kept in the same buildings.

IV. The Governor is empowered and directed to take care that each of the asylums is kept full to its utmost capacity of such patients as are receivable by it, as long as any such patients in the State are unprovided for, and that each receives its due proportion of the patients in excess of the ordinary capacity of the Asylum.

§ 26. No order shall be made by any court or officer for sending a pauper idiot to an asylum, nor shall such idiot be received therein unless the jury, by their verdict, on the inquest, shall find that he is so dangerous or uncontrollable that he cannot be safely and properly kept by a committee within the county.

§ 27. I. In order to relieve the State from an undue accumulation of patients, the several asylums may send back to the counties of their residence, or whence they came, any idiots who now are, or may hereafter be, in such asylums, and who, in the judgment of the commission herein authorized, can be safely and properly kept by committees within their counties. The president of the board of commissioners of each asylum, the superintendent, and one other of the commissioners, to be from time to time appointed by the board, as necessity may arise, shall constitute a commission to act upon such cases as the superintendent may propose to send back. They shall investigate each case carefully and thoroughly; and if, after such investigation, they shall all concur in opinion that any specified idiot patient is so quiet, harmless, and governable, and his physical condition is such that he can be safely and properly kept by a committee within the county, they shall, in each case, make duplicate certificates of their determination, signed by them all, one to be filed and kept by the superintendent, the other to be sent with the patient.

II. Thereupon it shall be the duty of the superintendent to send each paying patient, as to whom such certificate shall be made, back to the county of his residence, or whence he came, and deliver him, with one of said certificates, to his committee, if there be one; if there be no committee, then to his friends who have provided for his support; and he shall send each pauper patient, as to whom such certificate shall be made, back to the county of his residence or whence he came, during the term of the court having general equity jurisdiction therein, to be brought before said court, that it may provide for his custody and support. The certificate of the commission aforesaid, and a copy of the original inquest papers, if remaining at the asylum, shall be sent along with the patient,



and presented to the court; and it shall be the duty of the attorney for the Commonwealth, or, in his absence, the county attorney, to procure the proper steps to be taken in such cases.

III. The courts, in cases brought before them under these provisions, shall take proper proceedings and make the proper orders for the custody and support of such idiots out of the asylum.

IV. The said courts shall have power to direct such pauper idiots or any of them to be kept in the poor-house of the county if there be one; and in such cases the allowances for their support shall be paid to the receiver of the poor-house, who shall be liable on his official bond for a faithful appropriation and just account thereof.

V. The foregoing provisions apply equally to male and female patients.

§ 28. The provisions of this act, so far as they are the same in substance as those of existing laws, are declared, and shall be construed, to be a continuation of such laws, and not as new enactments; and the provisions of chapter 53 of the General Statutes, entitled "Lunatic Asylums," and those of "An act concerning the various charitable institutions of this Commonwealth," approved April 21st, 1873, so far only as they relate to and affect the lunatic asylums, are hereby repealed, except such of them as are continued and renewed in and by this act; and all acts and part of acts in conflict with the provisions of this act are repealed.

§ 29. This act shall take effect one month from its passage.

Mr. Swoope moved to amend said bill by inserting after the word "cheapest" in the 4th line of the 10th section, the following: "At original wholesale cost prices."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Edwards, were as follows, viz:

Those who voted in the affirmative, were—

Scott Brown,	Joseph B. Read,	G. W. Swoope—4.
P. F. Edwards,		

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	George Wright—23.
Joseph Gardner,	Sumner Marble,	

Mr. Tyler then moved to lay said bill and pending amendment on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Edwards, were as follows, viz:

Those who voted in the affirmative, were—

P. F. Edwards,                      H. A. Tyler,                      W. L. Vories—3.

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Wm. J. Berry,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	C. N. Pendleton,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	George Wright—24.

Mr. Turner then moved to amend subsection 4, section 8, of said bill, by adding after the word "asylum" the following, viz: "Including accounts of all receipts and expenditures."

Pending the consideration of said amendment, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to amend the charter of the Masonic Widows' and Orphans' Home and Infirmary," approved March 15, 1871.

With an amendment thereto.

That they had concurred in the first amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act for the protection of sheep in the counties of Henderson, Breckinridge, Meade, Ohio, Caldwell, Hancock, McLean, and Daviess,

So far as it proposed to strike from said bill the counties of Meade and Ohio, and had refused to concur in said amendment as to the county of Daviess.

That they had concurred in the second amendment thereto proposed by the Senate.

That they had concurred in the amendment to the title of said bill proposed by the Senate, so far as it proposed to strike therefrom the counties of Meade and Ohio, and to add thereto the county of Christian, and had refused to concur in said amendment so far as it proposed to strike out the county of Daviess.

That they had adopted a resolution, entitled

Resolution directing the Governor to procure from the War Department of the United States Government copies of military rolls of Kentucky troops who served in the Mexican war.

Which was taken up, twice read, and concurred in.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	Sumner Marble,	George Wright—27.

In the negative—none.

*Resolved*, That the title of said resolution be as aforesaid.

Said resolution reads as follows, viz :

*Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor of this Commonwealth be, and he is hereby, directed to procure from the War Department of the United States Government copies of the military roils of the Kentucky troops who served in the Mexican war. The sum of three hundred dollars is hereby appropriated for the purposes herein specified, and on the Governor's order to that effect the Auditor is directed to draw his warrant on the Treasurer for that sum, or so much thereof as the Governor may direct. This resolution to take effect from its passage.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate Guthrie City, in Todd county.

Said bill was amended.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Leslie, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act requiring the county court of Jefferson county to appoint a measurer of wood, stave-timber, lumber, hoop-poles, and staves,

Reported the same without amendment.

Said bill reads as follows, viz :

§. 1 *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the county court of the county of Jefferson to appoint a measurer of wood, stave-timber, lumber, hoop-poles, and staves, whose duty it shall be to measure all wood, stave-timber, lumber,

hoop-poles, and staves sold in said county. He shall, in a well-bound book, keep a correct account of all such measurements, giving the date, quantity of each lot or car load, with the number of the car, and the names of the vendor and vendee, for which he shall be entitled to receive from the vendee eighty cents per car load for measuring wood or stave-timber, one dollar and twenty-five cents per car load for lumber; one dollar and twenty-five cents per car load for counting a car load of hoop-poles or staves; ten cents per cord for measuring wood or stave-timber; twenty-five cents per thousand for measuring lumber; twenty-five cents per thousand for counting hoop-poles or staves shipped by boat or otherwise to the city of Louisville, one half of which sum the vendee shall be entitled to deduct from the price of said articles. Nothing in this act shall be so construed as to require or authorize the said measurer to exercise the duties of his office unless so requested by the vendor or vendee.

§ 2. Said measurer shall keep his books open at all times for inspection by interested parties. He shall give to the vendor and vendee each a certificate of measurement.

§ 3. This act does not apply to any article herein that is taken in wagons from the county to Louisville, lumber made in Louisville or sold in any of the lumber yards therein; but only to those articles named aforesaid that are shipped in cars, boats, and otherwise to said city.

§ 4. Said measurer shall, before he proceeds to act, execute a covenant in said court, payable to the Commonwealth, for the faithful discharge of his duties; and shall also take an oath in said court that he will faithfully and impartially discharge the duties of his office.

§ 5. He shall hold his office for four years, and until his successor has been duly appointed and qualified.

§ 6. This act shall be in force from its passage.

Mr. Barbour moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	S. H. Jenkins,	G. W. Swoope,
James Blackburn,	Sumner Marble,	George Wright--8.
R. G. Hays,	C. N. Pendleton,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	E. W. Turner,
F. L. Cleveland,	Duncan Harding,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	Joseph B. Read,	W. L. Vories--14.
Joseph Gardner,	J. H. Stanley,	

Mr. Swoope then moved to postpone the consideration of said bill indefinitely.

Which motion was adopted.

So said bill was disagreed to.

The Senate took up for consideration a bill from the House of Representatives, entitled



An act to increase the jurisdiction of justices of the peace.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That justices of the peace shall have concurrent jurisdiction, within their respective magisterial districts in their counties, with the circuit and quarterly courts, of all actions and proceedings for the recovery of money or personal property, where the matter in controversy, exclusive of interest and costs, does not exceed one hundred dollars.

§ 2. That on each action or proceeding, where the matter or amount in controversy, exclusive of interest and costs, exceeds fifty dollars, a tax of fifty cents shall be paid by the plaintiff and taxed as costs; which said tax shall be accounted for by the justices as clerks of the circuit courts are now required by law to account for like taxes collected by them; and for any violation or failure upon their part to perform the duties required of them under this act, they shall be subject to the same requirements, and the same penalties, as clerks of the circuit courts are now subjected to by law.

§ 3. The pleadings in said court shall be oral, and without verification; but before the summons is issued, or before the defendant shall proceed under any set-off or counter-claim against the plaintiff or a co-defendant, he or said defendant, as the case may be, shall file with said justice the account or the written contract, or a short written statement of the facts on which the action, defense, counter-claim, or set-off is founded.

§ 4. All appeals from the justices' courts under the provisions of this act shall be taken to the quarterly court, where the matter in controversy, exclusive of interest and costs, shall be five dollars or over.

§ 5. All acts or parts of acts, either of a general or local nature, inconsistent with the provisions of this act, are hereby repealed.

§ 6. The provisions of this act shall not apply to the city of Louisville and county of Jefferson.

§ 7. This act shall be in force from and after its passage.

The amendment heretofore adopted reads as follows, viz :

In the sixth section, after the word "Ohio," add the following, viz : Menifee, Bourbon, Clark, Montgomery, Powell, Fayette, Wolfe, Daviess, Caldwell, Crittenden, Edmonson, Grayson, Morgan, Magoffin, Breathitt, Lee, Owsley, Johnson, Lewis, Ballard, and McCracken.

Mr. Swoope moved the following amendment as an additional section to said bill, viz :

Amend the bill as follows: "That when the claim of the plaintiff is less than \$50, and the set-off or counter-claim plead by the defendant exceeds \$50, such defendant shall pay to the justice before the filing of such set-off or counter-claim a tax of 50 cents, to be taxed as costs, and accounted for by the justice, as required where the claim of the plaintiff exceeds \$50."

Mr. Jenkins moved to amend the amendment proposed by Mr. Swoope, by adding the following thereto, viz :

"*Provided*, That where the claim on the set-off is fifty dollars over and above the claim of the plaintiff."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Swoope as amended, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Joseph Gardner,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel.	Thos. W. Varnon—10.
Andrew J. Ewing,		

Those who voted in the negative, were—

F. L. Cleveland,	J. R. Leslie,	J. H. Stanley,
James B. Garnett,	Sumner Marble,	E. W. Turner,
Duncan Harding,	Joseph B. Read,	George Wright—11.
R. G. Hays,	Robert Simmons,	

*Ordered,* That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on dispensing with the rule of the Senate, in order to place said bill upon its passage, and it was decided in the negative.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to protect game and small birds, and to punish trespass.

Which amendments were twice read and concurred in.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to protect game and to punish trespass on lands in Adair county.

By same—

An act to prevent the destruction by cattle or other stock of willows and small trees growing and being planted on the banks of the Ohio river, in Trimble and Oldham counties and part of Carroll county.

By Mr. Brown, from the Committee on Internal Improvement—

An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

By same—

An act to amend the charter of the Lexington and Georgetown Turnpike Road Company.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of W. M. Kerby, sheriff of Garrard county.

By Mr. Blackburn, from the Committee on Charitable Institutions—

An act to incorporate the Kentucky Infirmary for Women and Children.

By Mr. Edwards, from the Committee on Propositions and Grievances—

An act granting to the trustees of the town of Ghent, in Carroll county, the right to establish and maintain a ferry on the Ohio river, at said town.

By Mr. Berry, from the Committee on Propositions and Grievances—

An act for the benefit of John B. Stevens, Joseph B. Bennett, and the personal representatives of Wm. Duke, Wm. Brown, and Titus Bennett.

By Mr. Hodge, from the Committee on Railroads—

An act to amend an act, entitled "An act to establish tram-tracks or railways to navigable streams or railroads in Rockcastle county."

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills, the last as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Simmons, from the Committee on the Judiciary—

A bill regulating the holding of circuit and criminal courts in the sixteenth judicial district.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to amend an act incorporating the Winchester and Kentucky River Turnpike Road Company.

By Mr. Cleveland, from the Committee on Appropriations—

A bill to authorize school district, No. 52, in Pendleton county, to levy an additional tax for school purposes.

By Mr. Leslie, from the Committee on Courts of Justice—

A bill to regulate the holding of the chancery, criminal, and circuit courts at Alexandria, in Campbell county, in the twelfth judicial district.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Wright, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of George W. Pickett, late sheriff of Adair county.

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, The Commonwealth of Kentucky recovered a judgment in the Franklin circuit court against George W. Pickett, sheriff of Adair county, for thirty-nine hundred dollars, balance of State revenue in his hands, and interest was calculated against him on said sum from the June next preceding the judgment, to the date of the judgment, which interest amounted to one hundred and fifty-five dollars and eleven cents; and whereas, he has paid all of the judgment into the Treasury; and whereas, it is a hardship to require interest before the revenue could have been collected; for remedy whereof;

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts draw his warrant on the Treasury for one hundred and fifty-five dollars and eleven cents in favor of George W. Pickett, to be paid out of any money in the Treasury not otherwise appropriated.

§ 2. *Be it further enacted*, That this act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :



Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	Joseph B. Read,
James Blackburn,	Wm. Cassius Goodloe,	J. H. Stanley,
Scott Brown,	Duncan Harding,	E. W. Turner,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
W. W. Culbertson,	George B. Hodge,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	George Wright--24.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had passed a bill from the House of Representatives, entitled

An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	George Wright--24.

In the negative—R. B. Lovel—1.

*Resolved*, That the title of said bill be as aforesaid.

Said bill reads as follows, viz :

WHEREAS, W. E. Clelland, late sheriff of Mercer county, paid to the Auditor of Public Accounts the sum of two hundred and thirty-three dollars and seventy-one cents (\$233 71), being five per cent. on the amount of taxes unpaid by him on the first of April, 1872, assessed by the Auditor under the act of March 22d, 1871; and whereas, the appellate court has since decided in the case of Culton vs. the Commonwealth, 9 Bush, 902, that the sheriff was only bound to pay so much of said five per cent. as he had collected of the tax-payers; and whereas, it is represented by said Clelland that he did not collect all of said five per cent.; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is directed to settle with said Clelland the amount paid, five per cent., that he or his deputies collected; and draw his warrant on the Treasury in favor of said sheriff for such part of said five per cent. as was not collected of the tax-payers of Mercer county.

§ 2. The affidavits of said Clelland and his deputies, sworn to before the judge of the Mercer county court, as to how much of said five per cent. they have collected, may be considered by the Auditor as evidence of such fact.

§ 3. That this act take effect from its passage.

And then the Senate adjourned.

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### WEDNESDAY, MARCH 8, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of W. D. Rucker, of Green county.

An act to incorporate the Centennial Building and Savings Association, of Covington, Kentucky.

An act to authorize the Franklin county court to issue bonds for the aid of turnpike roads and other purposes.

An act for the benefit of the administrator of J. L. Stubbs, late clerk of the Lyon county court.

An act to regulate elections for directors and other officers of private corporations.

An act to amend the charter of the South Carrollton Academy, Muhlenburg county.

An act for the benefit of George T. Price, sheriff of Logan county.

An act regulating the rates of tolls on the Paris and North Middleton Turnpike Road.

An act concerning Mill Creek and its tributaries, in Jefferson county.

An act to amend the charter of the town of Campbellsville.

An act to legalize certain orders and proceedings of the Larue county court.

An act to change the time of electing trustees, &c., of the town of Barbourville.

An act for the benefit of B. D. Nixon, jailer of Bath county.

An act for the benefit of George F. Green, of Bath county.

An act for the benefit of S. H. Cassidy, of Crittenden county.

An act to incorporate the Patrons' Co-operative Association, of Simpson county.

An act to amend an act, entitled "An act to incorporate the Minett Orphan Asylum of the city of Louisville," approved April 21, 1873.

An act to incorporate the Pendleton County Mutual Aid Association.

An act to amend an act, entitled "An act to amend an act to incorporate the Louisville Orphans' Home Society."

An act to authorize the voters of Mayfield to vote upon the question of prohibiting the sale of spirituous liquors, &c., in said city.

An act for the benefit of colored common schools in Trimble county.

An act to incorporate the Green River Iron and Coal Company.

An act to incorporate Union Benevolent Association, of Versailles, Kentucky.

An act to incorporate the Forest Retreat and Panther Creek Turnpike Road Company, in Nicholas county.

An act to authorize McCracken county to levy a tax for county purposes.

An act to incorporate the Bank of Woodford, at Versailles, Kentucky.

An act to amend an act establishing a new charter for the city of Louisville, approved March 3, 1870.

An act to amend an act incorporating the Odd Fellows' Mutual Life Assurance Association, of Louisville, Kentucky.

An act giving the police judge of Paradise, Muhlenburg county, concurrent jurisdiction with justices of the peace.

An act to repeal an act, entitled "An act to regulate the pay of members of the court of claims of Todd county."

An act for the benefit of Polly Davis, administratrix of R. P. Davis, late surveyor of Breathitt county.

An act for the benefit of Felix Gibson, of Wayne county.

An act to change the time of holding the February term of the Henderson quarterly court.

An act for the benefit of W. P. Fox, jailer of Knox county.

An act to repeal several acts increasing the jurisdiction of quarterly and justices' courts in the county of Anderson.

An act for the benefit of Richard H. Collins.

An act to consolidate the Louisville, Harrod's Creek, and Westport Railway Company with the Westport, Carrollton, and Covington Railway Company.

An act to amend an act, entitled "An act to amend the charter of the Glasgow Railroad Company," approved March 20, 1872.

An act for the benefit of John E. Abbott, sheriff of Hart county, and to authorize the Auditor to settle with him, and credit him by certain sums on certain judgments.

An act to legalize the order of the board of trustees of Glasgow in subscribing \$1,000 to aid in building the Baptist Female College of Liberty Association of Kentucky, at Glasgow, and issuing a bond in payment of said subscription.

An act to confer additional powers upon the county court of Barren county.

An act to legalize acts of the McCracken county judge, and to authorize him to sell real property purchased by the court.

An act to incorporate the Prentice Club of Louisville, Kentucky.

An act for the benefit of G. W. Whitesides, for taking care of pauper lunatic.

An act to amend an act, entitled "An act to incorporate the New Castle and Carrollton Turnpike Road Company."

An act for the benefit of school district No. 35, of Hickman county.

An act for the benefit of Thos. J. Winfrey, of Russell county.

An act to change the time of holding quarterly courts in Anderson county.

An act for the benefit of George W. Williams, of Christian county.

An act to incorporate Amenda Lodge, No. 31, Knights of Pythias.

An act for the benefit of Wm. D. Berry, of Hickman county.

An act to legalize the proceedings of the Christian county quarterly court begun and held on the fourth Monday in January, 1876.

An act for the benefit of David Pryse, of Lee county.



An act to empower the court of claims of Shelby county to levy an ad valorem tax, and to legalize the ad valorem levies of 1873-'4-'5.

An act to amend an act to empower the county court of Franklin county to make subscriptions to the capital stock in turnpike roads in Franklin county, approved March 16, 1869.

An act for the benefit of Hickman county.

An act to authorize the trustees of Brandenburg to sell and convey real estate lying in the corporate limits of said town.

An act to amend an act, entitled "An act to authorize the voters of the town of Clinton to vote upon the proposition as to whether ardent spirits shall be sold within the corporate limits of said town, and to prohibit the sale of same," approved March 29, 1873.

Resolution touching Patterson's forms for county officers.

That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to charter the Mechanics' Bank of Paducah," approved February 7, 1867.

An act to amend an act, entitled "An act to establish tram-tracks on railroads or railways to navigable streams or railroads in Rockcastle county."

An act to amend section 6, chapter 75, General Statutes, for the benefit of the sheriffs of Metcalfe and Monroe counties.

An act to incorporate Guthrie City, in Todd county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Vanceburg, in Lewis county."

An act to continue ten years longer an act, entitled "An act to amend the charter of the town of Hustonville and amendments thereto," approved March 13, 1872.

An act to change the time of holding the Ballard county court.

An act to authorize the people of the Staffordsburg precinct, in Kenton county, to vote on the question as to whether spirituous liquors shall be sold in said precinct.

An act to amend the charter of the city of Ludlow.

An act to authorize the judge of the Lincoln county quarterly court to appoint a clerk of his court.

An act to incorporate the bank of J. B. Wilgus & Co., of Lexington.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act to regulate the sale of vinous, spirituous, or malt liquors in the town of Madisonville, Hopkins county.
2. An act to authorize the Boyd county court to purchase the Ashland and Catlettsburg Turnpike.
3. An act to amend chapter 42, title "Ferries," General Statutes.
4. An act to legalize certain orders of the Hardin county court.
5. An act to prohibit the county judge of Hardin from issuing license to any citizen of West Point district, in Hardin county, to sell spirituous, vinous, or malt liquors.
6. An act declaring Rockcastle river a navigable stream.
7. An act for the benefit of the sheriff of Laurel county.
8. An act for the benefit of Perry A. Cline, sheriff of Pike county.
9. An act to incorporate the Tollsboro Cemetery Company, of Lewis county.
10. An act to amend the act, entitled "An act to incorporate the Catholic Cemetery, of Lexington, Kentucky."
11. An act to regulate the times of holding the criminal courts in Grant, Henry, Owen, and Boone counties.
12. An act to incorporate the Bank of Adairville, of Logan county.
13. An act to incorporate the Lewisburg<sup>\*</sup> High School.
14. An act to prevent stock from running at large on any highway in the 4th district of Shelby county.
15. An act to amend the charter of the city of Louisville.
16. An act regulating the manner of voting in Bourbon on questions of tax for subscription to railroad companies.
17. An act to incorporate the Brick-layers' Union, No. 4, of Louisville, Kentucky.
18. An act to incorporate the Union Bank of Louisville.
19. An act to amend chapter 90 of the General Statutes, title "Public Printing and Binding."

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 9th, and 10th to the Committee on Religion and Morals ; the 2d to the Committee on Internal Improvement ; the 3d to the Com-

mittee on General Statutes and Codes of Practice ; the 4th, 5th, 11th, and 16th to the Committee on Courts of Justice ; the 6th to the Committee on Propositions and Grievances ; the 7th and 8th to the Committee on Finance ; the 12th and 18th to the Committee on Banks and Insurance ; the 13th to the Committee on Education ; the 14th and 17th to the Committee on Agriculture and Manufactures ; the 15th to the Committee on the Judiciary, and the 19th to the Committee on Printing.

Leave was given to bring in the following bill, viz :

On motion of Mr. Read—

A bill to better protect the records of this Commonwealth.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Corinth Church, in Grant county.

By Mr. Garnett, from the Committee on the Judiciary—

A bill to define and punish certain trespasses.

By Mr. Ewing, from the Committee on Penitentiary and House of Reform—

A bill providing for an extension of the penitentiary, building new cell-house, workshops, &c., &c.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named bill be made the special order for Friday next, the 10th inst., at 11½ o'clock, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Lovel, from the Committee on the Sinking Fund—

An act to cause the surplus of the Sinking Fund to be transferred to the Revenue Proper.

By Mr Garnett, from the Committee on the Judiciary—

An act to amend an act, entitled “An act to incorporate the town of Paintsville,” approved March, 25, 1872.

By same—

An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases.

*Ordered*, That the last named be printed and placed in the orders of the day, and the others be severally read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to repeal ninth section of an act to amend the charter of the city of Bowling Green, approved 23d day of February, 1874.

An act to amend an act, entitled “An act to amend an act reducing into one the several acts in relation to the town of Taylorsville.”

An act to extend the town limits of the town of Morgantown, Butler county.

An act to incorporate the Green River Female Seminary.

An act to protect sheep and dogs in the counties of Ballard, Henry, and other counties.

An act to incorporate the Farmers and Traders’ Bank.

An act for the benefit of B. B. Mullens, ex-sheriff of Pendleton county.

An act to amend the act approved 7th December, 1850, entitled “An act to incorporate the Kentucky Agricultural and Mechanical Association at Lexington.”

An act to amend an act, entitled “An act to incorporate the Cleveland Orphan Institution,” approved March 17th, 1870.

Mr. Turner moved to reconsider the vote by which the Senate had, on yesterday, disagreed to the passage of a bill from the House of Representatives, entitled

An act requiring the county court of Jefferson county to appoint a measurer of wood, stave-timber, lumber, hoop-poles, and staves.

Which motion was simply entered.



The Senate took up for consideration a resolution from the House of Representatives, entitled

Resolution providing an adjournment *sine die* on Monday, 13th inst.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That when this General Assembly adjourns on Monday, the 13th inst., it shall adjourn *sine die*.

Mr. Swoope moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	P. F. Edwards,	R. B. Lovel,
Scott Brown,	Duncan Harding,	Sumner Marble,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	D. H. Lindsay,	G. W. Swoope—12.

Those who voted in the negative, were—

Wm. J. Berry,	James B. Garnett,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	Joseph B. Read,	George Wright—14.
Joseph Gardner,	Robert Simmons,	

Mr. Lovel moved to amend said resolution by striking out the words "Monday, the 13th inst.," and inserting in lieu thereof "Monday, the 20th inst."

Mr. Berry moved to amend the amendment proposed by Mr. Lovel by striking out the words "Monday, the 20th inst.," and inserting in lieu thereof "Saturday, the 11th inst."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The question was then taken on the adoption of the amendment proposed by Mr. Lovel, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lovel and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Scott Brown,	John Hyden,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	D. H. Lindsay,	G. W. Swoope,
P. F. Edwards,	R. B. Lovel,	W. L. Vories—16.
James B. Garnett,		

Those who voted in the negative, were—

Wm. J. Berry,	Joseph Gardner,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
W. W. Culbertson,	George B. Hodge,	Thos. W. Varnon,
Andrew J. Ewing,	Joseph B. Read,	George Wright—12.

Mr. Hodge then moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	Sumner Marble,	E. W. Turner,
Joseph Gardner,	Joseph B. Read,	H. A. Tyler,
R. G. Hays,	J. H. Stanley,	George Wright—10.
George B. Hodge,		

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	D. H. Lindsay,
Wm. J. Berry,	P. F. Edwards,	R. B. Lovel,
James Blackburn,	James B. Garnett,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	G. W. Swoope,
Scott Brown,	John Hyden,	Thos. W. Varnon,
F. L. Cleveland,	S. H. Jenkins,	W. L. Vories—19.
W. W. Culbertson,		

The question was then taken on the adoption of the resolution, as amended, and it was decided in the affirmative.

*Resolved*, That the title of said resolution be amended by striking out the "13th" and inserting the "20th" therein.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to amend an act, entitled "An act to incorporate the Cairo and Tennessee River Railroad Company," approved March 10, 1873.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had refused to concur in the amendment proposed by the Senate to a resolution from the House of Representatives, entitled ,

Resolution providing an adjournment *side die*, on Monday, the 13th inst.

Mr. Garnett, from the Committee on the Judiciary, to whom was recommitted a bill from the House of Representatives, entitled

An act refunding certain moneys to persons entering land warrants west of Tennessee river,

Reported the same with an amendment.

Pending the consideration of which, the hour of 11 A. M., having arrived, further action thereon was cut off by the special order of the day.

The Senate, according to order, resolved itself into a Committee of the Whole on the State of the Commonwealth, the Speaker having retired from, and Mr. Edwards being called to and taking, the chair, and after a time spent in discussion, the committee rose, the Speaker resumed the chair, and Mr. Edwards, the Chairman, reported that the committee had had under consideration,

A bill to amend chapter 18, General Statutes, entitled "Common Schools,"

And after proceeding with the consideration of the same for a time, had risen and directed him to report said bill back to the Senate without amendment.

Mr. Lindsay then moved an amendment to said bill, pending the consideration of which,

Mr. Swoope moved to postpone the further consideration of said bill and pending amendment until to-morrow at fifteen minutes to 12 o'clock, M.

Which motion was adopted.

At twenty-five minutes before 2 o'clock, P. M., Mr. Turner moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Cleveland, were as follows, viz:

Those who voted in the affirmative, were—

Wm. Cassius Goodloe, G. W. Swoope—2.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	S. H. Jenkins,	H. A. Tyler,
F. L. Cleveland,	D. H. Lindsay,	Thos. W. Varnon,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories,
P. F. Edwards,	P. A. Lyon,	C. J. Walton,
Andrew J. Ewing,	Sumner Marble,	George Wright—25.
Joseph Gardner,		

At ten minutes before 2 o'clock P. M., Mr. Walton moved that the Senate do now adjourn until 3 o'clock, P. M.

Pending the consideration of which motion, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

The Senate met pursuant to adjournment, the roll was called, and the following Senators responded to the call :

Pollock Barbour,	R. G. Hays,	Robert Simmons,
Wm. J. Berry,	George B. Hodge,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
F. L. Cleveland,	D. H. Lindsay,	E. W. Turner,
P. F. Edwards,	R. B. Lovel,	H. A. Tyler,
Andrew J. Ewing,	P. A. Lyon,	Thos. W. Varnon,
James B. Garnett,	C. N. Pendleton,	C. J. Walton,
Duncan Harding,	Joseph B. Read,	George Wright—24.

On motion, leave of absence, indefinitely, was granted Mr. Blackburn.

Mr. Varnon moved to reconsider the vote by which the Senate had passed a bill from the House of Representatives, entitled

An act to amend section 9 of chapter 415 of an act of the General Assembly of the Commonwealth of Kentucky, passed at session 1873-'4, entitled "An act to regulate the sale of medicines and poisons," approved February 20, 1874.

Which motion was simply entered.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district," approved 16th April, 1873;

An act to establish the seventeenth circuit court judicial district;

An act to amend, revise, and extend an act, entitled "An act to incorporate the city of Mayfield," approved March 25, 1873;

An act to amend an act to incorporate the town of Fulton, in Fulton county, approved February 8, 1872.

An act to amend the charter of the town of Hustonville;

An act directing and authorizing the clerk of the Daviess circuit court to docket common law causes and criminal and penal cases pending, or which shall hereafter be pending, in the Daviess circuit court;

An act to amend the charter of the Louisville and Nashville Railroad Company;



And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Carlisle Callum, of Greenup county.

An act to amend the charter of the Athens and Walnut Hill Turnpike Company ;

An act to incorporate the town of Burlington, in Boone county ;

An act to incorporate Mount Tabor Church and Burial Grounds, in Lewis county ;

An act to incorporate the Court Street Baptist Church, Bowling Green, Kentucky ;

An act for the benefit of W. W. Cox, late sheriff and present and late county and quarterly court judge, of Morgan county ;

An act to empower John D. Mourning, judge of Adair county court, to appoint a clerk of his court ;

An act to authorize the county courts to establish work-houses, and to provide for the confinement therein of persons adjudged guilty of misdemeanors ;

An act to incorporate Hico Lodge, No. 372, Free and Accepted Masons, Calloway county, Kentucky ;

An act to provide for adjusting conflicting titles to Mineral Spring, in Boone county ;

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Greenupsburg ;'"

An act to amend the charter of the city of Louisville, and directory to the Board of Commissioners of Public Charities of said city ;

An act to incorporate the Zoological Garden Association, of Jefferson county ;

An act to incorporate the Fox Creek and Washington County Turnpike Road Company ;

An act to incorporate the Bath County Agricultural and Mechanical Association ;

An act for the benefit of Joel F. Reed, sheriff of Estill county, and his securities on his bond, for the years 1873-'4 ;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Mr. Edwards moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Joseph B. Read,
Wm. J. Berry,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
P. F. Edwards,	R. B. Lovel,	H. A. Tyler,
Andrew J. Ewing,	P. A. Lyon,	Thos. W. Varnon—17.
James B. Garnett,	C. N. Pendleton,	

Those who voted in the negative, were

F. L. Cleveland,	Robert Simmons,	C. J. Walton,
Duncan Harding,	J. H. Stanley,	George Wright—7.
D. H. Lindsay,		

And then the Senate adjourned.

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#### THURSDAY, MARCH 9, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Kentucky Grangers' Mutual Benefit Society.

An act to amend the charter of the town of Adairville, in Logan county.

An act for the benefit of common schools in Barren county.

An act to regulate tolls on turnpike roads in Owen county.

An act to reduce into one, amend, and digest the acts and amendatory acts incorporating the city of Mount Sterling.

An act concerning judicial sales of the property and franchises of railroad and turnpike corporations.

An act to authorize the sale of the property in Barbourville, known as the Baptist Church and school property.

An act to incorporate the New Providence or Eldorado and Western Turnpike Road Company.

An act to amend section 10, article 2, chapter 27, General Statutes.

An act to amend an act, entitled "An act to incorporate the Stony Point and Lemand's Mills Turnpike Road Company, of Bourbon county."

An act for the benefit of common schools in Grayson county.

An act to authorize the judge of the Mason quarterly court to appoint the clerk of said court.

An act to incorporate the Union Library Association of the town of Union, Boone county.

An act to define the jurisdiction of the police judge of the town of Cromwell, Ohio county.

An act for the benefit of common school district No. 22, Webster county.

An act in aid of common school districts Nos. 62 and 67, Hopkins county.

An act to amend the charter of the town of Glennville, in Adair county, approved March 25, 1872.

An act for the benefit of the common school commissioner of Hopkins county.

An act to fix the tax on real and personal estate at forty cents on the one hundred dollars in value thereof.

An act to continue in force an act, entitled "An act authorizing the county court of Washington county to increase the county levy," approved January 22, 1874.

An act to incorporate Owen Lodge, No. 85, I. O. O. F.

An act for the benefit of Thomas Ballou, of Pulaski county.

An act to give the assessor further time to list the property in McLean county.

An act for the benefit of G. W. Pickett, of Adair county.

An act to regulate the purchase or sale of scrap-iron, old metals, or second-hand furniture, in certain counties in this State.

An act for the benefit of the assessor and clerk of Gallatin county.

An act to incorporate the Breckinridge Literary and Library Association of Owingsville, Bath county.

An act authorizing the appointment of commissioners to ascertain and re-mark the line between the counties of Fayette and Scott.

An act to incorporate the Ludlow, West Covington, and Suspension Bridge Street Railway Company.

An act to incorporate the Odd Fellows' Funeral Aid Association, of Maysville.

An act to protect sheep in Kenton county.

An act to amend an act, entitled "An act to incorporate the Shelbyville and Bardstown Turnpike Company."

An act to incorporate the Farmers' Deposit Bank of Cynthiana.

An act to revise and amend the charter of the city of Dayton, in Campbell county.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Louisville Elevator and Warehouse Company.

An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Corinth Church, in Grant county.

An act to incorporate the Jersey Ridge Turnpike Road, in Mason county.

An act to amend the title of chapter 159 of the act approved February 14, 1876.

An act to amend an act incorporating the Winchester and Kentucky River Turnpike Road Company.

An act to incorporate the Henderson Female College, of Henderson.

An act to incorporate the James Owen Lodge, Independent Sons of Honor, No. 1.

An act for the benefit of Hugh Mulholland.

An act giving Henry Fields, late sheriff of Perry county, the further time of six months in which to make out and return his delinquent list for the years 1873-'4.

An act for the benefit of R. W. Major, late sheriff of Trigg county, and his sureties.

An act for the benefit of licensed owners of stud-horses, jacks, and bulls, in Madison and Garrard counties.

An act to amend the charter of the town of Richmond.

With amendments to the last two named bills,

The last of which was taken up, twice read, and concurred in.



That they had passed bills of the following titles, viz :

1. An act to incorporate the Elliston Station and Collins' Mill Turnpike Road Company, in Grant county.

2. An act supplementary to the act to adopt the General Statutes.

3. An act for the benefit of Joseph A. Stein, of Jefferson county.

4. An act to incorporate the Literary and Benevolent Society of St. Mary of the Angels.

5. An act for the benefit of the constable of the third district of Louisville.

6. An act to incorporate the Hopkins County Lead Mining Company.

7. An act to amend an act, entitled "An act to amend the charter of the Southern Mining, Manufacturing, and Trading Company."

8. An act to amend an act, entitled "An act to incorporate the Dreaming Creek Turnpike Road Company, in Madison county," approved March 15, 1871.

9. An act to incorporate the Dexter and Lowell Turnpike Road Company, in Mason county.

10. An act to authorize the trustees of South Carrollton to work roads and streets.

11. An act to repeal an act, entitled "An act to establish and incorporate the town of Stroud City, in Muhlenburg county," approved 19th March, 1873.

12. An act to amend the charter of Brandenburg, Meade county.

13. An act for the benefit of Meade county.

14. An act to authorize the county court of McCracken county to take stock in the Paducah, Benton, and Murray Gravel Road Company.

15. An act to incorporate the Bank of Paducah.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred--the 1st, 7th, 8th, 9th, 10th, and 14th to the Committee on Internal Improvement; the 2d to the Committee on General Statutes; the 3d and 4th to the Committee on Finance; the 5th to the Committee on Courts of Justice; the 6th to the Committee on Agriculture and Manufactures; the 11th, 12th, and 13th to the Committee on the Judiciary, and the 15th to the Committee on Banks and Insurance.

The following petitions were presented, viz :

By Mr. Lyon—

1. Petition of sundry citizens of Gordonsville district, in Logan county, praying the repeal of the local option law in said district.

By Mr. Stanley—

2. Petition of sundry citizens of Walnut Bottom district, in Henderson county, praying the repeal of the local option law in said district.

By Mr. Varnon—

3. Petition of sundry citizens of Boyle county, praying the repeal of a law prohibiting stock from running at large on turnpike roads in said county.

Which were received, the reading dispensed with, and referred—the 1st and 2d to the Committee on Religion and Morals, and the 3d to the Committee on General Statutes and Codes of Practice.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Stephen Gibson, late sheriff of Clay county, giving him the further time of six months in which to make out and return his delinquent list for the years 1872 and 1873.

An act for the benefit of G. W. Baker, late sheriff of Jackson county.

An act for the benefit of Mrs. E. J. Peers, an adjudged lunatic.

An act to prevent trespass in Christian county.

An act to regulate the time of holding circuit courts in certain counties in the ninth judicial district.

An act for the benefit of the deputy clerk of the Magoffin county court.

An act to amend an act, entitled “An act to incorporate Confederate City, in Rowan county.”

An act to change the time of holding the Letcher quarterly court.

An act in relation to official sales in the county of Bracken.

An act to incorporate the South Covington Fair and Trotting Park Association.

An act to incorporate the Phoenix Lyceum, in Fulton county.

An act to amend the charter of the town of Stanford.

An act incorporating the Kentucky Agricultural Company.

An act for the benefit of John Boyd, sheriff of Lyon county.

An act to amend an act, entitled "An act to reduce into one the several acts concerning the town of Lagrange," approved February 25, 1869.

An act to amend the charter of the Covington Transfer Company.

An act to amend the charter of the Covington and Taylor's Mill Turnpike Road Company.

An act to amend article 2, chapter 33, entitled "Elections," of the General Statutes.

An act to amend an act, entitled "An act for the benefit of keepers of licensed stud-horses, jacks, and bulls;"

An act for the benefit of the Independence and Colemansville Turnpike Road Company.

An act for the benefit of H. O. Merriman and others.

An act to amend the charter of the town of New Columbus, in Owen county.

An act for the benefit of Jonathan Russell, sheriff of Casey county.

An act to change the location of a part of the turnpike road between Stanford and Crab Orchard.

On motion of Mr. Varnon, a message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend section 9 of chapter 415 of an act of the General Assembly of the Commonwealth of Kentucky, passed at session of 1873-'74, entitled "An act to prevent the sale of medicines and poisons," approved February 20, 1874.

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Varnon then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to regulate the pay of witnesses in criminal cases.

Which was granted, and the bill delivered to the messenger.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Berry, from the Committee on Propositions and Grievances—

A bill to amend section 2 of an act, entitled "An act to change the name and extend the limits of the town of Berry Station, in Harrison county," approved March 15, 1869.

By Mr. Hodge, from the Committee on Railroads—

A bill to authorize the city of Newport, Campbell county, to encourage manufactories.

By Mr. Simmons, from the Committee on the Judiciary—

A bill to amend the charter of the Banklick Turnpike Road Company.

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to amend the charter of the town of Elizabethtown, in Hardin county.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

A bill requiring landlords to report to and register with the clerks of the county courts of this Commonwealth the names of their tenants, the length of the time of their term, the amount of rent due or to become due, when and how payable.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named bill be printed and placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate resumed the consideration of the unfinished report of yesterday from the Committee on the Judiciary, it being a bill from the House of Representatives, entitled

An act refunding certain moneys to persons entering land warrants west of Tennessee river.

Said bill reads as follows, viz :

WHEREAS, By the 14th section of the act approved January 3, 1825, entitled "An act to provide for the sale of vacant lands west of the Ten-



nessee river" (2 Morehead and Brown's Statutes, pages 1054-58), it was provided, that if any lands sold under this act shall be taken from the purchaser or his assigns by a prior claim adverse to the title acquired by the sale and purchase under this State, the said purchaser or persons claiming under him shall receive the amount of the original purchase money upon the production of the record and certificate of the judge of the court that the said land was lost, upon a fair and full trial, upon the merits of the respective titles, to the Auditor of Public Accounts, who shall issue his warrant on the Treasury for the amount of the original purchase money, without interest; and whereas, by an act, entitled "An act to repeal the 14th section of an act, entitled 'An act to provide for the sale of vacant land west of the Tennessee river,'" approved January 3, 1825, approved February 25, 1836, said 14th section of said act of 1825 was repealed as to the lands thereafter entered; and whereas, it is represented to this General Assembly that various persons, previous to said repeal, had entered, and they or their assignees held the State title within large military, treasury warrant, and other surveys, which have, by legal and judicial trial, some in the supreme court of the United States and some in the appellate court of this State, been established over the State title, but not by suits against each individual claimant; wherefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky.* That those so entering lands in said district, at any time before the said February 25, 1836, or their assignee or assignees, shall not be compelled to file the record as provided in said section 14th of said act of 1825; but upon producing to the Auditor of Public Accounts satisfactory evidence that said military, treasury warrant, or other surveys, have been judicially established as superior to the State title, and that by reason thereof the holder of said title entered before said 25th of February, 1836, has lost the land, the Auditor shall refund to such holder the original entrance money or price paid the State, without interest; and the published opinion of either of said courts, found in the books of reports of the decisions of said court, shall be received as conclusive evidence of the superiority of such military, treasury warrant, or other title, over the State title; the supreme court of the United States on appeal to be regarded as the controlling evidence. Where there shall be any conflict, the final judgment of any State or United States courts, whether published or not, and the affidavit of any county or ex-county surveyor of the county where the land may be situated, or other evidence competent by the rules of the common or statute laws, that the claimant, under the State title of land land within such survey has lost his said land by the establishment of such military, treasury warrant, or other surveys, shall be received by said Auditor; and he may require such other evidence in each case as he shall deem necessary.

§ 2. This act to go into effect from its passage.

The question was then taken on the adoption of the amendment proposed by the Committee on the Judiciary, and it was decided in the affirmative.

Said amendment reads as follows, viz :

Insert after the words "refund to such holder," in the 9th line of section one, the following, viz : "his executor, administrator, or heirs, or administrator of said heirs."

Mr. Garnett moved the following amendment to said bill, viz :

Amend section 1 by inserting after the word "Auditor," in line 9, the words " by the advice and consent of the Attorney General, made in writing and signed by himself."

Which was adopted.

Mr. Gardner then moved the following amendment to said bill, viz :

*And be it further enacted*, That if any person or persons have, or has heretofore bought land from this State, and paid for the same, and afterwards lost such land by reason of a superior title having been judicially asserted thereto, upon satisfactory proof being made thereof to the Auditor of this State, the said Auditor shall draw his warrant upon the Treasury of this State in favor of such loser for the amount of money, without interest, paid for such land.

Mr. Wright then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment proposed by Mr. Gardner, and it was decided in the negative.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	D. H. Lindsay,	G. W. Swoope,
Joseph Gardner,	P. A. Lyon,	H. A. Tyler,
James B. Garnett,	Robert Simmons,	Thos. W. Varnon—13.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Wm. J. Berry,	Andrew J. Ewing,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Scott Brown,	James W. Hays,	E. W. Turner,
F. L. Cleveland,	John Hyden,	W. L. Vories,
W. A. Cunningham,	J. R. Leslie,	C. J. Walton,
P. F. Edwards,	R. B. Lovel,	George Wright—18.

So said bill was disagreed to.

Mr. Wright, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to incorporate the National Grange of the Patrons of Husbandry,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That John T. Jones, D. Wyatt Aiken, Edward R. Shankland, Dudley T. Chase, Alonzo Golder, William H. Chambers, Oliver H. Kelley, John R. Thompson, A. B. Grosh, John Trimble, jr., F. M. McDowell, Dudley W. Adams, Wm. M. Ireland, and D. A. Robertson, their associates and successors, are hereby created a body corporate and politic, by the name of the "National Grange of the Patrons of Husbandry;" and by that name shall have power to purchase, hold, and grant real, personal, and mixed estate, and shall have perpetual succession; and by said corporate name shall have power to make contracts, sue and be sued; and may have and use a common seal, with power to alter it at pleasure.

§ 2. The object of the corporation hereby created is the promotion of agricultural and other kindred pursuits, by inducing co-operation among farmers and those alike interested for their mutual benefit and improvement, and to this end to act as the controlling body of the order known as "The Patrons of Husbandry," an order organized in the United States for the purposes aforesaid.

§ 3. That the organization of the Patrons of Husbandry shall be, and remain as now existing, until otherwise changed or modified according to the rules and regulations of said order.

§ 4. That the constitution of the order of Patrons of Husbandry shall be and remain the constitution of said order until otherwise amended or altered in the mode provided in said instrument.

§ 5. That the present by-laws of the National Grange shall constitute the by-laws of the corporation hereby created, subject to be altered and amended as provided in the same.

§ 6. That any amendments made to said constitution and by-laws shall conform to the constitution of the United States and of this State; otherwise they shall be null and void.

§ 7. That the said National Grange of the Patrons of Husbandry may hold its annual or called meetings in any of the States or Territories of the United States; and the proceedings of such meetings shall have the same force and effect in this State as if said meetings were held and proceedings had in this State.

§ 8. That said corporation may transact any of its legitimate business in other State or Territory of the United States, not inconsistent with the constitution or laws of such State or Territory.

§ 9. The following members are named as the present executive officers of the National Grange hereby incorporated: John T. Jones, of Barton, Arkansas, Master; O. H. Kelley, of Louisville, Kentucky, Secretary; F. M. McDowell, of Wayne, New York, Treasurer; D. Wyatt Aiken, of Cokesburg, South Carolina; E. R. Shankland, of Dubuque, Iowa; Dudley T. Chase, of Claremont, New Hampshire; Alonzo Golder, of Rock Falls, Illinois; W. H. Chambers, of Osweehill, Alabama; members of the executive committee.

§ 10. That this act shall take effect from the date of its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	P. A. Lyon,	George Wright—30.

In the negative—G. W. Swoope—1.

*Resolved*, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to regulate appeals from the Winchester police court in criminal and penal cases.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act extending the charter of the Farmers' Bank of Kentucky.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of John N. Howard, late sheriff of Harlan county.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Leave was given to bring in the following bills, viz :

On motion of Mr. Berry—

1. A bill to increase the jurisdiction of the quarterly courts of Ohio and Muhlenburg counties.

On motion of Mr. Pendleton—

2. A bill in regard to the time of holding circuit courts in the 2d judicial district.

On motion of Mr. Brown—

3. A bill to amend the charter of the South Side Turnpike Road, in Franklin county.

On motion of Mr. Cleveland—

4. A bill to re-enact and amend the charter of the town of Milford, in Bracken county.



On motion of Mr. Lyon—

5. A bill for the benefit of Theodore Wells, a pauper idiot, of Logan county.

On motion of Mr. Turner—

6. A bill, entitled "An act for the benefit of Samuel Biggerstaff, late sheriff of Madison county."

*Ordered*, That the Committee on Propositions and Grievances prepare and bring in the 1st and 4th; the Committee on Finance the 5th and 6th; the Committee on Courts of Justice the 2d, and the Committee on Internal Improvement the 3d.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the president, directors, and company of the Bank of Kentucky ;

An act for the benefit of pauper idiots of Hardin county ;

An act authorizing the jailer of Mason county to appoint an assistant ;

An act to incorporate the Grassy Flat Ditch Company, of Daviess county ;

An act for the benefit of A. J. Bertram, of Edmonson county ;

An act to incorporate the town of Chaplin, Nelson county ;

An act to authorize Emma P. Barbour to be appointed guardian for George A. Sykes and Eliza Moore Sykes ;

And enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of the creditors of the Montgomery and Bath Stock Association ;

An act to establish an institution of learning in or near the town of Proctor, in Lee county ;

An act to amend the charter of the Danville and Hustonville Turnpike Road Company ;

An act to amend an act to incorporate the town of Shelby City, in the county of Boyle ;

An act for the benefit of Lee county ;

An act to legalize the Washington county court of claims for 1875 ;

An act to incorporate the town of Summer Shade, in Metcalfe county ;

An act to incorporate the Troublesome Creek Boom Company, in Breathitt county;

An act to amend the charter of the town of Stephensonport, in Breckinridge county;

An act to extend the corporate limits of the town of Litchfield, in Grayson county;

An act to create a criminal court in the 16th judicial district;

An act to amend the charter of the town of Parkland;

An act to establish a criminal court in the fourteenth judicial district;

An act to empower the trustees of the jury fund of Henderson county to restore to the city of Henderson, out of any funds coming to his hands as trustee, certain moneys due to said city;

An act to incorporate the Summit Station Turnpike Road Company, in Nicholas county;

An act to incorporate the Milton and Patton's Creek Railway Company;

An act to amend the charter of the Masonic Building Company, of Falmouth, Kentucky;

An act granting the use and possession of the reservoir on the Public Square to John R. Graham and Green Clay Smith, of the city of Frankfort, for the purpose of cultivating fish;

An act to establish a normal school at Glasgow, in Barren county;

An act for the benefit of Calloway county;

An act for the employment of teams on the public roads in Carroll county;

An act to amend the charter of the Petersburg and Burlington Turnpike Road;

An act to incorporate the German Evangelical Zion's Church, of Owensboro;

An act to incorporate the Muldraugh's Hill Lithographic Stone and Mining Company;

An act to amend the charter of the Lexington and Georgetown Turnpike Road Company;

An act to incorporate the Hocker College of Lexington, Kentucky;

An act to amend the revenue laws, and to re-enact certain sections of chapter 2060, Session Acts of 1869, entitled "An act to amend the revenue laws," approved 15th March, 1869;

Resolution in reference to expired lottery franchises;

Resolution directing the Governor to procure from the War Department of the United States Government copies of military rolls of Kentucky troops who served in the Mexican war;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, took up for consideration.

A bill to amend chapter 18, General Statutes, entitled "Common Schools."

Mr. Tyler moved to reconsider the vote by which the Senate had adopted an amendment striking out the first section of said bill.

Pending the consideration of which motion, Mr. Wright moved to recommit said bill to the Committee on Education, with instructions to report the same back to the Senate on to-morrow, at 10 o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	J. R. Leslie,
James Blackburn,	Wm. Cassius Goodloe,	P. A. Lyon,
F. L. Cleveland,	Duncan Harding,	C. N. Pendleton,
W. W. Culbertson,	James W. Hays,	Thos. W. Varnon,
W. A. Cunningham,	George B. Hodge,	George Wright—16.
Andrew J. Ewing,		

Those who voted in the negative, were—

Robert A. Briggs,	Joseph B. Read,	E. W. Turner,
Scott Brown,	Robert Simmons,	H. A. Tyler,
P. F. Edwards,	J. H. Stanley,	W. L. Vories,
D. H. Lindsay,	G. W. Swoope,	C. J. Walton—13.
R. B. Lovel,		

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend and reduce into one the several acts organizing and regulating the Lunatic Asylums of this State,

Together with the amendment proposed by Mr. Turner as a substitute for said bill.

Mr. Turner moved to suspend the rule in order to allow the Committee on the Judiciary to proceed with its report.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	J. R. Leslie,	E. W. Turner,
P. F. Edwards,	P. A. Lyon,	Thos. W. Varnon,
James B. Garnett,	Joseph B. Read,	W. L. Vories—11.
Wm. Cassius Goodloe,	G. W. Swoope,	

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	C. J. Walton,
W. W. Culbertson,	R. B. Lovel,	George Wright—20.
W. A. Cunningham,	Sumner Marble,	

Mr. Swoope moved to postpone the further consideration of said bill and amendment until to-morrow at fifteen minutes before 10 o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

James B. Garnett,	G. W. Swoope,	E. W. Turner—4.
J. R. Leslie,		

Those who voted in the negative, were

Pollock Barbour,	Andrew J. Ewing,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	Duncan Harding,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton,
P. F. Edwards,	R. B. Lovel,	George Wright—27.

Mr. Swoope moved to commit said bill and pending amendment to a select committee of five members of the Senate.



Mr. Turner moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Edwards, were as follows, viz :

Those who voted in the affirmative, were—

James B. Garnett,	Joseph B. Read,	E. W. Turner,
Wm. Cassius Goodloe,	G. W. Swoope,	W. L. Vories--7.
J. R. Leslie,		

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	P. A. Lyon,
Wm. J. Berry,	Joseph Gardner,	Sumner Marble,
James Blackburn,	Duncan Harding,	C. N. Pendleton,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton,
P. F. Edwards,	R. B. Lovel,	George Wright--27.

The question was then taken on the motion made by Mr. Swoope to commit to select committee of five members of the Senate.

Pending the consideration of which motion, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to amend and reduce into one the several acts in relation to the town of Danville," approved March, 10, 1873.

An act for the benefit of the Caldwell Female Institute, of Danville, Kentucky.

An act to repeal an act, entitled "An act to amend chapter 84 of the Revised Statutes, title 'Roads and Passways,'" approved February 20, 1869, so far as the same applies to the county of Floyd.

An act to authorize the county court of Boone county to sell and convey the old jail lot.

An act to amend an act, entitled "An act to provide an additional voting precinct in Cumberland county," approved March 16, 1870.

An act for the benefit of the sheriff of Allen county.

An act for the relief of the sheriff of Ballard county.

An act to increase the county levy of Boyle county.

An act for the benefit of Charles Wickliffe, late sheriff of Muhlenburg county.

An act for the benefit of George W. Pickett, late sheriff of Adair county.

An act for the benefit of John H. McHargue.

An act to authorize the president and faculty of Cottage Home College to confer learned degrees.

An act for the benefit of common school district No. 21, of Bourbon county.

An act for the benefit of the clerks of the Union and Crittenden circuit courts.

An act to incorporate the Flemingsburg Railway Company.

An act to repeal an act, entitled "An act to print sheriffs and master commissioner's advertisements of land sales in Carroll county in the paper printed in said county.

An act to repeal an act, entitled "An act to print sheriffs and master commissioner's advertisements of land sales in Owen county in the paper printed in said county."

An act for the benefit of George E. Johnson, sheriff of Taylor county.

An act for the benefit of S. S. Faris, former sheriff of Barren county.

An act to incorporate the Edna Lead and Silver Mining and Manufacturing Company.

An act in relation to the county levy of Union county.

An act to incorporate the Avery Institute.

An act to incorporate the Richmond Hotel Company.

An act to amend article 2, chapter 33, General Statutes, for the benefit of Metcalfe county.

An act for the benefit of Wm. Thomas, sheriff of Lee county.

An act to amend the charter of the Orangeburg and Tollsboro Turnpike Road, in Mason county.

An act to amend an act, entitled "An act to incorporate the Winchester, Colbyville, and Lexington Turnpike Road Company."

An act to prevent stock from running at large in the counties of Bracken, Pendleton, Grant, and Harrison.

An act to authorize the county court of Pulaski county to sell ground and purchase a new site for a jail.

An act to regulate the sale of leaf tobacco in this Commonwealth by warehousemen and commission merchants, and tobacco dealers on commission.

An act to incorporate the Traders' Deposit Bank of Mt. Sterling, Kentucky.

An act, entitled "An act to amend the road law of Boone county.

An act to incorporate the town of Skilesville, in Muhlenburg county, Kentucky.

An act for the benefit of James A. Howell, committee for James Shoemaker, an adjudged pauper idiot.

An act for the benefit of school district No. 34, in Taylor county.

An act for the benefit of common school district No. 28, of Metcalfe county.

An act to incorporate the Lawrenceburg and Camdenville Branch Road Turnpike Company, in Anderson county.

An act to amend the charter of Owingsville, Bath county.

An act to create the office of county treasurer for Barren county.

An act to authorize the Owen county court to sell the poor-house in that county.

An act regulating the duties of trustees, &c., in certain cases.

An act to amend an act, entitled "An act to incorporate the town of Weston, in Crittenden county."

An act to amend an act to incorporate the Elizaville Station and Mayslick Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Chaplin and Bloomfield Turnpike Road Company."

An act to repeal the charter of the town of Corydon, Henderson county, and reincorporate the same.

An act for the benefit of Jane A. Phillips, of Jefferson county.

An act for the benefit of common school district No. 30, in McLean county.

An act for the benefit of common school district No. 8, of Powell county.

An act to legalize certain acts of the Boone county court.

An act for the benefit of W. F. Austin, committee for W. P. Austin, a pauper idiot, of Barren county.

An act for the benefit of George W. Murphy, of Hopkins county.

An act to incorporate the Cemetery Company of Browinski Lodge, No. 64, I. O. O. F., in Carroll county.

An act for the benefit of the town of Westport, in Oldham county.

An act to authorize the Congregation Adas Israel, of the city of Louisville, to issue mortgage bonds.

That they had passed bills of the following titles, viz :

1. An act regulating the fees of the clerk of the Jefferson circuit courts in criminal cases.

2. An act regulating days of grace on bills of exchange, sight drafts, and certain promissory notes.

3. An act to amend the act incorporating the Winchester and Red River Iron Works Turnpike Road Company.

4. An act to amend an act, entitled "An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company," approved January 22, 1876.

5. An act authorizing the president and three directors to lease the Bardstown and Springfield Turnpike Road to Sanford Cutsinger and others.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Finance; the 2d to the Committee on Banks and Insurance, and the 3d, 4th, and 5th to the Committee on Internal Improvement.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act for the benefit of Meade county.

By same—

An act to amend the charter of Brandenburg, in Meade county.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Simmons, from the Committee on the Judiciary—

A bill to regulate the jurisdiction and trial of criminal and penal cases in Warren county.



By Mr. Briggs, from the Committee on Claims—

A bill to amend an act, entitled “An act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington,” approved March 5, 1876.

By Mr. Walton, from the Committee on Claims—

A bill for the benefit of John B. Richardson, of Lexington, Kentucky.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Vories, Mr. Lindsay was added to the Committee on the Penitentiary.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act to incorporate the bank of J. B. Wilgus & Co., of Lexington.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

A message was received from the House of Representatives, again announcing their passage, and their refusal to reconsider the vote by which they had passed, a bill which originated in the House of Representatives, entitled

An act to regulate the pay of witnesses in criminal cases.

Mr. Simmons, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of S. I. M. Major and Waller Overton,

Reported the same with an amendment.

Said bill reads as follows, viz :

WHEREAS, The Auditor of the Commonwealth, on the 19th day of December, 1860, under and in pursuance of chapter 5, section 22, of the Revised Statutes, made a contract with S. I. M. Major and Waller Overton, employing them to bind the Journals, Acts, and Legislative Reports,

and other Public Documents which might be proper and necessary to be bound for the State for two years, commencing on the 1st day of January, 1861, at the same rate and same price that had heretofore been paid to A. C. Keenon for the previous two years; and whereas, the said contract in writing was extended for the two years, from and after the 1st day of January, 1863, by additional contract in writing, dated the 27th day of August, 1861, and was made to embrace all the blank books, and all ruling which the Auditor in his official capacity might buy or order for his own use, or for the use of the other departments of the State Government, at prices theretofore paid for such work; and Major and Overton agreed in said contract that one and one half per cent. should be deducted by the Auditor in the settlement of their accounts for binding done from the 1st day of January, 1862, to the 1st day of January, 1863, and in the settlement of their accounts for binding done after the 1st day of January, 1863, three per cent. for the benefit of the said State; and the General Assembly, by an act approved December 21, 1861, entitled "An act creating the office of Public Binder, and repealing so much of article 1, of chapter 5, of the Revised Statutes, as authorizes the Auditor to make contracts for binding the public books," took away from the said Major and Overton the right to carry out and perform the said contract so made between the Auditor and them, and they claim that they have suffered damage and injury thereby.

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for S. I. M. Major and Waller Overton to institute suit against the Commonwealth of Kentucky to recover from the Commonwealth the damages they have sustained, if any, in the Franklin circuit court, on account of the alleged breach of contract aforesaid. It shall be the duty of the Attorney General to defend the said suit, and to set forth any and all facts in existence controverting the claim set forth in said suit. If the judgment of the said circuit court shall be in favor of the plaintiffs, and no appeal be taken, or if any appeal be taken by the Attorney General to the Court of Appeals, and the judgment be affirmed, the Auditor shall draw his warrant in favor of the said Major and Overton for the amount of the judgment, and the Treasurer is directed to pay the same.

§ 2. This act shall take effect from its passage.

The amendment proposed by the committee reads as follows, viz :

§ 3. The General Assembly does not intend by this act to intimate any opinion as to the question of whether or not the said S. I. M. Major and Waller Overton have sustained any damage whatever, by reason of the matters complained of by them, or that their contract with the Auditor has in any way been violated.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Cunningham then moved the following amendment to said bill, viz :

Strike out all of section 1, after line 9, and insert the following: "If the judgment of the said circuit court shall be in favor of the plaintiffs an appeal therefrom shall be taken by the Attorney General to the Court of Appeals, and if thereupon the judgment be affirmed, the Auditor shall draw his warrant in favor of the said Major and Overton for the amount

of the judgment, and the Treasurer is directed to pay the same out of any money in the Treasury not otherwise appropriated.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

Said bill was read a third time.

Mr. Tyler then moved to reconsider the vote by which the Senate had ordered said bill to be read a third time.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	W. W. Culbertson,	Wm. Cassius Goodloe,
Robert A. Briggs,	Andrew J. Ewing,	R. G. Hays,
F. L. Cleveland,	Joseph Gardner,	H. A. Tyler—9.

Those who voted in the negative, were—

Pollock Barbour,	George B. Hodge,	Joseph B. Read,
James Blackburn,	John Hyden,	Robert Simmons,
Scott Brown,	J. R. Leslie,	J. H. Stanley,
W. A. Cunningham,	D. H. Lindsay,	G. W. Swoope,
P. F. Edwards,	R. B. Lovel,	E. W. Turner,
James B. Garnett,	P. A. Lyon,	Thos. W. Varnon,
Duncan Harding,	Sumner Marble,	C. J. Walton,
James W. Hays,	C. N. Pendleton,	George Wright—24.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	C. N. Pendleton,
Scott Brown,	R. G. Hays,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	Robert Simmons,
W. A. Cunningham,	John Hyden,	J. H. Stanley,
P. F. Edwards,	J. R. Leslie,	G. W. Swoope,
Andrew J. Ewing,	D. H. Lindsay,	E. W. Turner,
Joseph Gardner,	R. B. Lovel.	Thos. W. Varnon—26.
James B. Garnett,	P. A. Lyon,	

Those who voted in the negative, were—

W. W. Culbertson,	H. A. Tyler,	George Wright—5.
Wm. Cassius Goodloe,	C. J. Walton,	

*Resolved*, That the title of said bill be as aforesaid.

And then the Senate adjourned.

## FRIDAY, MARCH 10, 1876.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to provide for the payment of expenses incurred by the Ohio county court in taking care of a pauper idiot.

An act to amend the charter of the town of Hickman.

An act incorporating the town of Rocky Hill, Edmonson county.

An act regulating tax on circuses, menageries, theatres, &c., in Kentucky.

An act declaring the Cumberland river and tributaries above the falls navigable streams.

An act to incorporate the Ohio County Bank.

An act in relation to commissioner's sales in Nelson county.

An act to establish and maintain a graded free school in the town of Harrodsburg.

An act for the benefit of the Moorefield and Upper Blue Lick Turnpike Road Company.

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

An act to authorize the mayor and council of the city of Augusta, in Bracken county, to make a subscription to the Augusta and Berlin Turnpike Road Company.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road, in Rockcastle county."

An act to amend the act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington, approved March 5, 1876.

That they had passed bills of the following titles, viz :

1. An act to abolish the police court of Harrodsburg, Mercer county, Kentucky.

2. An act to increase the jurisdiction of the quarterly court of Muhlenburg county.

3. An act to amend an act, entitled "An act to incorporate the Cincinnati, Covington, and Cumberland Gap Railroad Company."



4. An act to incorporate the Side View and Aaron's Run Turnpike Road Company.

5. An act to incorporate the town of Jeffersonville, in Montgomery county.

6. An act for the benefit of school district No. 1, Oldham county.

7. An act to regulate official advertisements, sales, &c., in the county of Oldham.

8. An act to incorporate Oldham Lodge, No. 169, of Free and Accepted Masons.

9. An act for the benefit of W. O. Newman, of Metcalfe county.

10. An act for the benefit of J. M. Read, of Metcalfe county.

11. An act for the benefit of the town marshal of Greenville, in Muhlenburg county.

12. An act to change the time of holding the Owenton police court.

13. An act to establish a graded school in the town of Butler, Pendleton county.

14. An act authorizing the Pulaski county court to agree upon a compensation to the sheriff or tax collector of said county for the years 1876 and 1877.

15. An act to amend an act, entitled "An act for the benefit of turnpike roads in Scott county," approved March 21, 1872.

16. An act for the benefit of John A. Thomas and others, of Shelby county.

17. An act to amend an act, entitled "An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company."

18. An act to provide for the building of turnpike roads in Todd county.

19. An act to authorize the presiding judge of the Todd county court to grant coffee-house licenses within the corporate limits of Elkton.

20. An act to amend section 121 of the revised charter of the city of Paducah.

21. An act for the benefit of James Logan, of Union county.

22. An act for the benefit of the Institution for the Education of Feeble-minded Children.

23. An act for the benefit of William Theirman.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—

the 1st, 2d, 5th, 7th, 11th, 12th, and 19th to the Committee on Courts of Justice ; the 3d to the Committee on Railroads ; the 4th, 15th, 16th, 17th, and 18th to the Committee on Internal Improvement ; the 6th and 13th to the Committee on Education ; the 8th to the Committee on Religion and Morals ; the 9th and 14th to the Committee on Finance ; the 10th and 23d to the Committee on Claims ; the 20th and 21st to the Committee on the Judiciary, and the 22d to the Committee on Charitable Institutions.

Leave was given to bring in the following bill, viz :

On motion of Mr. Read—

A bill to amend chapter 56 of the General Statutes.

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the same.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. J. W. Hays, from the Committee on the Judiciary—

1. A bill to amend and reduce into one the several acts in relation to the town of Newcastle, Henry county.

By Mr. Tyler, from the Committee on the Judiciary—

2. A bill to change the terms of circuit courts in the counties of Boone and Franklin.

By Mr. Tyler, from the Committee on Education—

3. A bill to incorporate the Clinton Baptist Female College.

By Mr. Garnett, from the Committee on the Judiciary—

4. A bill to incorporate the town of Turner's Station, Henry county.

By same—

5. A bill to legalize certain proceedings and orders of the Caldwell county court.

By same—

6. A bill providing for a commissioner and a board of supervisors of public buildings, roads, bridges, and improvements in Crittenden county.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

7. A bill to create the Owensboro chancery court.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named be printed and placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

*Ordered*, That Mr. Vories be allowed to report the passage of the first named of said bills to the House of Representatives.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to incorporate the Tygert Valley Turnpike Road Company, in Greenup and Carter counties.

By Mr. Edwards, from the Committee on Propositions and Grievances—

An act to change the line between the counties of Barren and Metcalfe.

By Mr. Walton, from the Committee on Claims—

An act for the benefit of J. C. Andrews, of Clinton county.

By Mr. Garnett, from the Committee on the Judiciary—

An act to amend the charter and laws of the town of Bellview, in Campbell county.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of Perry A. Cline, sheriff of Pike county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to regulate the time of holding the criminal courts in Grant, Henry, Owen, and Boone counties.

With amendments to the last two named bills.

Which were adopted.

*Ordered*, That said bills, the last two as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

On motion of Mr. Varnon, leave of absence, indefinitely, was granted Mr. Simmons.

Mr Edwards was appointed a committee on the part of the Senate to act in conjunction with a similar committee on the part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the House of Representatives, and which had passed the two Houses, entitled

An act to incorporate the Kentucky Oil, Pipe, Mining, and Transportation Company.

Mr. Lovel was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the House of Representatives, and which had passed the two Houses, entitled

An act to establish a criminal court in the fourteenth judicial district.

A message was received from the House of Representatives, announcing that they had refused to concur in the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of S. I. M. Major and Waller Overton.

The question was then taken, "Will the Senate recede from their proposed amendment to said bill?" and it was decided in the negative.

After a short time, a message was received from the House of Representatives, announcing that they insisted on their disagreement to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of S. I. M. Major and Waller Overton.

The question was then taken, "Will the Senate adhere to their proposed amendment?" and it was decided in the affirmative.

Mr. Turner then moved that a Committee of Conference be appointed, to act with a similar committee on the part of the House of Representatives, to take into consideration said disagreement.

Which motion was adopted.

The Speaker appointed Messrs. Turner, Brown, and Cunningham said committee.

After a short time Mr. Turner, from the Committee of Conference, made the following report, viz :

The Committee of Conference of both Houses, on House bill, entitled "An act for the benefit of S. I. M. Major and Waller Overton," having, considered the matter of disagreement between the two Houses, would make the following report :



They recommend that the bill be amended in line 1st, by adding after the word "whereas," in said line, the words "it is claimed by S. I. M. Major and Waller Overton that;" and the House of Representatives concur in the amendments proposed by the Senate to said bill.

ED. W. TURNER,  
SCOTT BROWN,  
W. A. CUNNINGHAM,  
*Senate Committee.*

J. WARREN GRIGSBY,  
B. G. BIDWELL,  
O. C. BOWLES,  
*House Committee.*

Which was adopted.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of the report of the Committee of Conference appointed to take into consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the benefit of S. I. M. Major and Waller Overton.

The Senate, according to order, took up for consideration

A bill to amend an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That an act, entitled "An act to establish an Insurance Bureau," approved March 10, 1870, be so amended as to require that all fees therein directed to be paid to the Auditor for *ex-officio* services, shall be by him paid, when collected, into the State Treasury; and in lieu of said fees, the Auditor shall be paid out of the Treasury an annual salary of one thousand dollars for said *ex officio* services required by said act.

§ 2. This act shall take effect and be in force from and after its passage.

Mr. Cunningham then moved to amend said bill by striking out the words "its passage," in the second section thereof, and inserting after the word "after," in said section, the following, viz: "The expiration of the term of office for which the present Auditor was elected."

Mr. Cunningham then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cleveland and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	E. W. Turner,
Scott Brown,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	D. H. Lindsay,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—26.
James B. Garnett,	P. A. Lyon,	.

Those who voted in the negative, were—

F. L. Cleveland,	Sumner Marble,	H. A. Tyler—5.
R. G. Hays,	G. W. Swoope,	

The question was then taken on the adoption of the amendment proposed by Mr. Cunningham, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	C. N. Pendleton,
Wm. J. Berry,	R. G. Hays,	Joseph B. Read,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	G. W. Swoope,
Scott Brown,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	P. A. Lyon,	C. J. Walton—24.

Those who voted in the negative, were—

F. L. Cleveland,	James B. Garnett,	H. A. Tyler,
Andrew J. Ewing,	S. H. Jenkins,	George Wright—8.
Joseph Gardner,	Sumner Marble,	

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	J. H. Stanley,
James Blackburn,	R. G. Hays,	G. W. Swoope,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	J. R. Leslie,	Thos. W. Varnon,

W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—29.
James B. Garnett,	C. N. Pendleton,	

Those who voted in the negative, were—

Andrew J. Ewing,	S. H. Jenkins,	Sumner Marble—3.
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*Resolved*, That the title of said bill be as aforesaid.

Mr. Cunningham moved to reconsider the vote by which the Senate had passed said bill.

Mr. Walton moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cleveland and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varanon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—27.

Those who voted in the negative were—

F. L. Cleveland,	Sumner Marble,	H. A. Tyler—4.
S. H. Jenkins,		

Mr. Read, from the Committee on Education, reported

A bill in aid of common schools in Calloway county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, E. Owings, upon the testimony of the patrons, taught an acceptable common school in district No. 39, Calloway county, but by an untoward and accidental circumstance, failed to get a certificate by which he could legally be paid the public fund apportioned the district for the scholastic year ending June 30th, 1873; and whereas, it is the desire of those who received the benefits of his labors that he should receive compensation; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of one hundred and twenty-eight dollars and eighty-two cents be paid said E. Owings from the interest due on the surplus



bond of Calloway county January 10th, 1877; and when the commissioner shall present his draft, properly countersigned by the Superintendent of Public Instruction, the Auditor shall issue his warrant on the Treasury for said amount in favor of said Owings.

§ 2. This act shall take effect from and after January 10th, 1877.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
P. F. Edwards,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton—28.
Joseph Gardner,		

Those who voted in the negative, were—

R. B. Lovel, Sumner Marble, George Wright—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Culbertson, from the Committee on Finance, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of T. A. McGill, late sheriff of Breckinridge county,

*Reported* the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is, authorized to draw his warrant upon the Treasurer for the sum of three hundred and thirty and twenty-six one hundredths dollars in favor of T. A. McGill, late sheriff of Breckinridge county, it being the amount of five per cent. on the revenue of said county, for the year of 1871, which has been paid by said sheriff into the Treasury: *Provided*, That before said warrant is drawn, said sheriff or his deputy, J. R. DeHaven, shall file his written affidavit in the office of the Auditor of Public Accounts to the effect that said amount, or no part thereof, has been collected by said McGill, or by any one for him.

§ 2. This act to take effect and be in force from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.



The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	G. W. Swoope,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—27.

Those who voted in the negative, were—

James Blackburn, James B. Garnett, R. B. Lovel—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill, which originated in the House of Representatives, entitled

An act to regulate the holding the court of claims in Pulaski county,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the Committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

Mr. Culbertson moved to reconsider the vote by which the Senate refused to order said bill to be read a third time.

Which motion was simply entered.

Mr. Read, from the Committee on Education, to whom was recommended

A bill to amend chapter 18, General Statutes, entitled "Common Schools,"

Reported the same, with an amendment as a substitute therefor.

Mr. Garnett then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	P. A. Lyon,
Wm. J. Berry,	James B. Garnett,	Joseph B. Read,

James Blackburn,  
Scott Brown,  
W. A. Cunningham,  
P. F. Edwards,

James W. Hays,  
George B. Hodge,  
John Hyden,  
R. B. Lovel,

J. H. Stanley,  
H. A. Tyler,  
Thos. W. Varnon,  
W. L. Vories—18.

Those who voted in the negative, were—

F. L. Cleveland,  
Joseph Gardner,  
Duncan Harding,  
S. H. Jenkins,

J. R. Leslie,  
D. H. Lindsay,  
Sumner Marble,  
G. W. Swoope,

E. W. Turner,  
C. J. Walton,  
George Wright—11.

The question was then taken on the adoption of the substitute proposed by the committee, and it was decided in the affirmative.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Experience has suggested beneficial changes in the laws relating to common schools, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That sections 8 and 9 of article 1, and section 22 of article 7, be, and the same are hereby, repealed.

§ 2. In lieu of sections repealed, adopt the following, to be called section 8 of article 1, which shall read as follows : If, on or before the first day of January next, after the termination of each school year, the proportion of the revenue of that year previously apportioned to any district be not called for, for common school purposes, the same shall be reinvested for the benefit of the county in which such district is situated; and on that day the Board of Education shall transfer to the Commissioners of the Sinking Fund the surplus thus due the several counties, and not called for. The existing bond shall be canceled and a new bond executed by the Governor for the whole amount of surplus then due the counties for common school purposes. A detailed statement of the amount of said bond each county is entitled to shall be made and filed in the office of the Superintendent of Public Instruction. And section 9 shall read as follows: The bond mentioned in the preceding section shall not be transferable, shall be redeemable at the pleasure of the General Assembly, and shall bear interest at the rate of six per centum per annum. The interest on this bond accruing to the credit of each county shall, from year to year, be apportioned among the several districts thereof in which common schools are taught, pursuant to this chapter, in the same manner the revenue of the general school fund is apportioned among them; and being added to the distributable share of the county in the revenue of the general fund, shall be paid out at the same time it is paid out.

§ 3. That section 2 of article 2 be amended, by adding after the clause, "for the election of district trustees," the following: "And at any time thereafter, upon the petition of five white electors, the trustee may, after due notice, as hereinafter provided, submit the question of taxation."

§ 4. That section 4 of article 2 be amended by adding, "where the sheriff fails to make said collection the trustee, with the advice and consent of the commissioner, shall appoint a collector to collect said tax, who shall be paid out of the proceeds of the same a per centum equal to that paid the sheriff for making collections of State revenues, who shall give good and sufficient bond and security, approved by the county court."

§ 5. That section 8, article 2, be amended by adding, "but the tax may be voted for a term of years, not exceeding four, provided the term of years shall be stated in the notices required by section 1 of article 2."

§ 6. That section 9, article 2, be amended by adding, "and where any district, city, or town may establish a system of graded free schools, it may place said schools under the control of a board of trustees, not exceeding five in number."

§ 7. That section 1 of article 3 be amended by adding after the phrase, "two professional teachers to be elected by them," the following: "And the members of the State Board of Examiners."

§ 8. That section 5 of article 3 be amended by striking out the word *the* before the clause "two professional educators," and by adding to the section the following: "The committee shall report to the board, and when its recommendation of text-books shall be adopted by a majority of all the members, the books recommended shall be those from which selections of text-books to be used in the common schools must be made."

§ 9. That section 10 of article 4 be amended by adding the following: "In case a county commissioner should be elected county judge before having made the settlement of his accounts required by section 13 of article 5, the superintendent shall notify the county attorney, who shall have all the power ordinarily vested in the county judges in cases of delinquent commissioners, and shall proceed to enforce said settlement by attachment."

§ 10. That article 4 be amended by adding thereto the following section: "The superintendent, when required to be absent from the capital on official business, shall have privilege to give his clerk power to sign his name to drafts for moneys due to the commissioners and teachers."

§ 11. That section 1 of article 5 be amended by adding after the words "certify the same," the following: "The county court, preceding the annual meeting of the county court of claims, at which a commissioner is to be elected, shall appoint a board of three examiners, two members of which shall be professional teachers, who shall examine all candidates for the office of school commissioner. Each applicant shall pay a fee of two dollars each, and no one shall be deemed eligible for the said office of common school commissioner who does not present a certificate of qualification signed by at least two members of said board."

§ 12. That section 6 of article 5 be amended by adding thereto the following: "No commissioner shall be entitled to the fee of three dollars for visiting a school district reported unless he shall forward to the Superintendent a certificate, signed by trustee and teacher of said district, that said commissioner has faithfully discharged the duty enjoined in this section, which certificate shall accompany his accounts for services." "The court of claims for each county in which it is deemed advisable to establish permanent boundary lines to school districts throughout the county, may employ a surveyor, or appoint a board to assist the commissioner, and make payment for the same out of the county levy."

§ 13. That section 13 of article 5 be amended by adding thereto the following: "When a commissioner fails to make such settlement, the Superintendent is authorized and required to withhold his pay until he shall satisfactorily settle his accounts as herein directed. The Superintendent of Public Instruction is authorized to deduct and pay into the Treasury any unsettled or unexpended balance which may remain in a commissioner's hands from the previous year, from the commissioner's account, and send him the Auditor's receipt for the same."



§ 14. That section 15 of article 5 be amended by substituting second Saturday in June for the second Friday in July.

§ 15. That section 1 of article 7 shall read as follows: "Each school district shall be under the control of one trustee, an election for whom shall be held at the school-house of the district, or some other place deemed more convenient by the trustee, from two to six o'clock, P. M., of the first Saturday in June of each year;" the remaining part of the section to read as now.

§ 16. That section 1 of article 7 be amended by substituting after the clause, "clerk of meeting," the following: "Who shall return the poll-book, signed by the judge and clerk of the election, at the time that said trustee is required to take the oath of office."

§ 17. That section 8 of article 7 be amended by adding after the words, "for the purposes of a common school," the following: "And shall order the building of a house where none exists;" and by adding the following words, "after the school-house has been condemned by the commissioner," "or one has been ordered built where none exists;" and adding after "six months thereafter" the following: unless the commissioner shall, for good reasons, extend the time six months longer."

§ 18. That section 9 of article 7 be amended by substituting "white common school electors," for "patrons, &c.," and by adding thereto the following: "He shall have power to warrant all delinquents, said warrants to be returnable before any justice of the peace of the district who shall enforce collection, together with the costs of such action."

§ 19. That section 1 of article 8 shall read as follows: "No person shall be deemed qualified to teach any common school herein provided for, unless such person shall first obtain a certificate of qualification to teach the elements of a plain English education, signed by two members of the county board of examiners, specifying the class of qualifications of the applicants. Certificates shall be first-class, with two grades, designated respectively first grade and second grade, and second-class with but a single grade. No special licenses shall, in any case, be granted those who are unable to obtain a certificate. No certificate of the same grade, except first grade first-class, shall be issued to the same person more than twice;" the remainder of the section to read as now.

§ 20. That section 8 of article 8 be amended by striking out "two" and inserting "four," and adding to it the following: "But one text-book on a subject to pupils of the same grade shall be allowed in any common school. Where the county board of examiners fail to make a selection, the trustee of each district, after consultation with the county commissioner and the teacher of said district, shall select the books to be used, and the same shall not be changed for at least four years. All selections of books must be made by county boards prior to the beginning of the next school year, and the books so selected shall not be changed for four years thereafter. No school shall be deemed a common school in which more than one book on the same subject by pupils of the same grade is used.

§ 21. That the following section shall be added to article 7: "The teacher of a common school, while engaged in teaching the same, shall be exempt from duty as overseer or hand upon a public highway, and from penalty for non-attendance upon his summons as a grand or petit juror."

§ 22. That section 12, article 1, be amended by substituting for section 7, article 4 the following: section 6, article 5.

§ 23. This act shall take effect from its passage.



The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Read, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	Wm. Cassius Goodloe,	J. H. Stanley,
Scott Brown,	Duncan Harding,	G. W. Swoope,
F. L. Cleveland,	James W. Hays,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
P. F. Edwards,	R. B. Lovel,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	C. J. Walton—21.

Those who voted in the negative, were

Wm. J. Berry,	Andrew J. Ewing,	Sumner Marble,
James Blackburn,	S. H. Jenkins,	W. L. Vories,
W. W. Culbertson,	J. R. Leslie,	George Wright—9.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a leave to bring in

A bill to amend chapter sixty-two of the General Statutes, entitled "Juries, Grand and Petit,"

Asked to be discharged from the further consideration of the leave.

Which was granted.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of the president, directors, and company of the Bank of Kentucky.

An act to amend, revise, and extend an act, entitled "An act to incorporate the city of Mayfield," approved March 25, 1873.

An act to amend an act to incorporate the town of Fulton, in Fulton county, approved February 8, 1872.

An act to amend an act, entitled "An act to change the time of holding the circuit, criminal, and chancery courts in the twelfth judicial district," approved 16th April, 1873.

An act to amend the charter of the town of Hustonville.

An act to amend the charter of the Louisville and Nashville Railroad Company.

An act directing and authorizing the clerk of the Daviess circuit court to docket common law causes and criminal and penal cases pending, or which shall hereafter be pending, in the Daviess circuit court.

An act to incorporate the town of Chaplin, Nelson county.

An act for the benefit of pauper idiots of Hardin county.

An act to authorize Emma P. Barbour to be appointed guardian for George A. Sykes and Eliza Moore Sykes.

An act authorizing the jailer of Mason county to appoint an assistant.

An act for the benefit of A. J. Bertram, of Edmonson county ;

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to protect game and small birds, and to punish trespass ;

An act to amend an act, entitled "An act to incorporate the Cairo and Tennessee River Railroad Company," approved March 10, 1873 ;

An act to incorporate the Mayfield and Wadesboro Gravel Road Company ;

An act to incorporate the Lockport and Bethlehem Turnpike or Gravel Road Company ;

An act for the benefit of Pat. Rush, jailer of Hart county ;

An act to provide for opening, repairing, and keeping in repair the public roads in Gallatin county ;

An act to reduce into one and amend the act and amendatory acts incorporating the city of Ashland ;

An act to amend the charter of the city of Ludlow ;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act to charter the Mechanics' Bank of Paducah," approved February 7, 1867 ;

An act to regulate the sale of vinous, spirituous, and malt liquors in Union county ;

An act for the benefit of W. E. Clelland, late sheriff of Mercer county ;

An act to establish a district for the purpose of working and keeping in repair certain roads running into the town of Big Spring, in the counties of Meade, Hardin, and Breckinridge ;

An act to amend the charter of the Salvisa and Kirkwood Turnpike Road Company ;

An act to amend the charter of the Kentucky River Turnpike Road Company;

An act for the benefit of the town of Booneville, Owsley county, Kentucky;

An act to amend the charter of the city of Cynthiana;

An act to repeal sections 5, 6, and 7 of an act, entitled "An act to amend the charter of the town of Harrodsburg," approved February 18, 1870;

An act granting to the trustees of the town of Ghent, in Carroll county, the right to establish and maintain a ferry on the Ohio river, at said town;

An act to protect the Newport and Covington Bridge Company;

An act to amend an act, entitled "An act to establish tram-tracks or railways to navigable streams or railroads in Rockcastle county;"

An act to amend the charter of the city of Louisville;

An act to incorporate the Kentucky Infirmary for Women and Children;

An act to amend the charter of the congregation Adas Israel;

An act to amend section 6, chapter 75, General Statutes, for the benefit of the sheriffs of Metcalfe and Monroe counties;

An act to amend an act incorporating the town of Frenchburg, in Menifee county, Kentucky;

An act for the benefit of John B. Stevens, Joseph B. Bennett, and the personal representatives of Wm. Duke, Wm. Brown, and Titus Bennett;

An act to amend an act, entitled "An act to incorporate the Ancient Order of United Workmen;"

An act to protect game and to punish trespass on lands in Adair county;

An act to repeal section third of an act to amend the charter of the town of Shelby City;

An act to incorporate the Mechanics' Savings Association;

An act to regulate appeals from the Winchester police court in criminal and penal cases;

An act extending the charter of the Farmers' Bank of Kentucky;

An act to authorize courts of claims to impose a tax upon dogs for county purposes;

An act for the benefit of D. P. Johns, of Hickman county;

An act for the benefit of W. M. Kerby, sheriff of Garrard county;

An act for the benefit of the Dix River and Lancaster Turnpike Road Company;

Resolution in regard to sword of Adjutant G. N. Cardwell;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, took up for consideration

A bill providing for the extension of the penitentiary, building a new cell-house and work-shops, &c., &c.

Said bill reads as follows, viz :

WHEREAS, There are some four hundred prisoners now confined in the penitentiary that have not room to sleep or work in, and the probabilities are the number will increase; and whereas, there is about four acres of land lying outside of the prison walls on the east side thereof belonging to the State; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor and the Commissioners of the Sinking Fund are constituted a board of commissioners for designing a plan for the extension of the penitentiary, and building additional cells and work-shops, and such other buildings and extensions as are demanded for the use of the penitentiary.

§ 2. That said commissioners shall have power, and it shall be their duty, to employ an architect, who shall at once procure, and at as early a day as convenient he shall make out, a plan of the proposed extension, including workshops and cells, giving specifications and estimates.

§ 3. That said commissioners shall have power to purchase such lands adjoining to the lands owned by the State adjoining the penitentiary for the purpose of straightening the exterior lines of the said lands now belonging to the State in order to make the proper extension; and they may purchase the old tannery also, and include the same inside of said prison walls, provided they can procure the same at reasonable prices; and they will receive a conveyance or conveyances to the State for all such property purchased by them.

§ 4. That after the specifications, plans, and estimates are made out by the architect, then said board shall cause a contract to be prepared for the execution of the work according to such plan as is proposed by said board of commissioners.

§ 5. That said board of commissioners shall have power to contract with the present keeper of the penitentiary for doing the work according to the plan proposed by them, or with any other person, or they may advertise for bids and let the work out to the lowest bidder; but they shall cause whoever takes the contract to give bond and good security to do the work in all respects according to contract, which shall be in writing and signed in duplicate.



§ 6. That there is hereby appropriated the sum of one hundred and twenty-five thousand dollars, or so much thereof as may be necessary, out of any money in the Treasury not otherwise appropriated, for the purpose of making said extension and purchase of land and improvements. Said commissioners shall pay to the person who undertakes to do the work eighty per cent. of the value of the work done each month, which shall be paid upon the warrant of the Auditor upon the Treasurer.

§ 7. That the architect employed by the board of commissioners shall certify to the board at the end of each month the value of the work done the preceding month; and thereupon said board shall, if they believe the estimate is correct, certify the same to the Auditor, and upon that he, the Auditor, shall draw his warrant on the Treasurer as herein provided.

§ 8. That after the work has been completed and accepted by the commissioners, and the fact certified to the Auditor, then he shall draw his warrant on the Treasury for the balance remaining unpaid for said work.

§ 9. That said board of commissioners shall make a contract with the architect they employ, and have the terms thereof specified in writing; and they may pay to him for his services in the same proportion they pay to the contractor for doing the work, by certifying the amount to be paid said architect monthly to the Auditor, and the Auditor will then draw his warrant on the Treasurer therefor in favor of said architect.

§ 10. That said board of commissioners shall have an understanding and agreement with the present lessee of the penitentiary concerning the right of the party or parties who takes the contract or contracts for extending the penitentiary, and erecting cell-houses and workshops, &c., to ingress and egress necessary for them to carry on their work.

§ 11. This act shall take effect in thirty days after its passage.

Mr. Blackburn moved the following as a substitute for said bill :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor of the State, the Commissioners of the Sinking Fund, and their successors in office, together with three persons, citizens of Kentucky, to be designated by the Governor and approved by the said Commissioners, be, and are hereby, created a commission, to be known as "The Board of Commissioners for the Improvement of the Navigable Rivers of Kentucky."

§ 2. That said Board of Commissioners shall have their first meeting in Frankfort on the \_\_\_\_\_ day of \_\_\_\_\_, and shall meet thereafter at such time and place as may be determined upon by said board.

§ 3. Said board shall elect a competent engineer, who shall be paid the sum of not exceeding one hundred and fifty dollars per month, or at that rate, for his services while actually employed; also a secretary, who shall be paid the sum of four dollars per day of actual service rendered; and the Commissioners of the board shall be paid their actual expenses and subsistence when on duty.

§ 4. The said board is hereby authorized to make a contract with the keeper of the penitentiary for the hiring of not less than one hundred and not more than four hundred convicts, at a rate of payment not to exceed fifteen cents per day for each convict; and said board shall, from and after said hiring, become responsible for the safe-keeping, guarding, feeding, clothing, medical treatment, and general care of said convicts, and the keeper of the penitentiary be, and is, relieved from all responsibility and expense during the time of said hiring: *Provided, however*, That nothing in this section shall be so construed as to relieve said keeper from the provisions of section 4, article 15, of the General Statutes.

§ 5. The keeper of the penitentiary shall make out duplicate descriptive lists of each convict hired under the provisions of this act, which shall be signed by said keeper and the president of said Board, one copy to be kept by said keeper and one copy to be kept by said president.

§ 6. The board shall then proceed to use and employ the convicts so contracted for in building locks and dams upon the Kentucky and Tradewater rivers. One third of the convicts shall be assigned to the works on the Tradewater river, and the remainder to those on the Kentucky river; the existing locks and dams on Kentucky river shall be repaired first, and then necessary locks and dams shall be constructed, beginning next above dam and lock No. 5.

§ 7. That for repairing and building the said works on the Kentucky river, and paying its proportionate part of the cost of hiring, clothing, feeding, guarding, and caring for the convicts hired, and to pay engineer and secretary, the sum of fifty thousand dollars per annum for two years is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

§ 8. That for building the said works on Tradewater river, and paying its proportionate part of the cost of hiring, clothing, feeding, guarding, and caring for the convicts hired, and pay to engineer and secretary, the sum of fifteen thousand dollars per annum for two years is hereby appropriated, out of any money in the treasury not otherwise appropriated; and the Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the Treasury for the amounts named in sections 7 and 8 of this act, when required so to do by said board, in writing, approved by the Governor.

§ 9. That immediately upon the completion of the works upon Tradewater, said commissioners shall transfer the convicts from Tradewater to Licking river, and shall proceed to build upon Licking river locks and dams, beginning at Three Mile Riffle, above its mouth, and continue the same to as near its source as may be advisable and practicable, using therefor any money which may remain out of the above appropriations; also any money which may be collected as tolls at the locks built upon Kentucky and Tradewater rivers, as provided for in this act.

§ 10. Land containing necessary stone and timber for said works, or as sites for said locks and dams, may be acquired by said board by purchase or gift, or by proper proceedings, in the name of the Commonwealth, by writ of *ad quod damnum*; and said commissioners shall make contracts for the construction of said works: *Provided*, That no part of said work that can be performed by the convicts hired shall be done by other labor.

§ 11. It shall be the duty of the board, or the warden employed by the board, to exercise a careful oversight over the prisoners under his charge; to employ the necessary guards in order to prevent escapes; to look after the health and personal comfort of the prisoners, and see that they are kept employed, but not overworked.

§ 12. Said board of commissioners shall have as full control and power over the convicts hired under the provisions of this act as the keeper of the penitentiary now has over those confined therein; and the rules of the penitentiary as to convicts shall apply, as far as practicable, to those employed under the provisions of this act; and any prisoner thus hired to labor on said works who shall escape, or attempt to escape, or who shall refuse to obey, or who shall resist the authority of the board or of the guards or warden employed by said board, or who shall mutiny, aid in, or advise mutiny, shall be deemed guilty, and be punished in the same manner as if the same had been done within the walls of the penitentiary.

§ 13. If any person or persons, not convicts, shall knowingly and willfully aid, abet, or counsel or assist any prisoner employed under the provisions of this act, to escape, or attempt to escape, or to resist the authority of said board, or the guard or warden employed by said board, shall be deemed guilty of felony, and, upon conviction by a court of competent jurisdiction, be sentenced to confinement and labor in the penitentiary for not less than one nor more than four years, at the discretion of the jury.

§ 14. In selecting convicts for work under the provisions of this bill, care being had as to their adaptability therefor, preference shall be given to those who manifest a disposition for reform; and to induce said convicts to faithful service and general good conduct, said commissioners, with the concurrence of the Governor, may remit one fourth of the term of any convict thus serving and conducting himself; and any convict so discharged shall be thereby restored to all rights of citizenship as fully as if he had never been convicted of crime.

§ 15. This act shall take effect and be in force from and after its passage.

Mr. Cleveland moved to amend said bill by striking out all after the word "shall," in the first line of the 5th section, down to and including the word "may," in the fourth line of said section.

Which was adopted.

Mr. Walton then moved to amend the substitute proposed by Mr. Blackburn by adding after the word "Tradewater," in the third line of the sixth section, the words "and Green."

Mr. Swoope moved to amend the amendment proposed by Mr. Walton by adding thereto the words "and the tributaries thereof."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Sumner Marble,	G. W. Swoope,
James W. Hays,	Joseph B. Read,	Thos. W. Varnon,
S. H. Jenkins,	J. H. Stanley,	George Wright—10.
P. A. Lyon,		

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	J. R. Leslie,
James Blackburn,	Joseph Gardner,	D. H. Lindsay,
Robert A. Briggs,	James B. Garnett,	R. B. Lovel,
Scott Brawn,	Wm. Cassius Goodloe,	C. N. Pendleton,
F. L. Cleveland,	Duncan Harding,	E. W. Turner,
W. W. Culbertson,	R. G. Hays,	H. A. Tyler,
W. A. Cunningham,	B. W. S. Huffaker,	W. L. Vories,
P. F. Edwards,	John Hyden,	C. J. Walton—25.
Andrew J. Ewing,		

Mr. Wright then moved to amend the amendment proposed by Mr. Walton by adding after the word "Green" the word "Barren."



And the question being taken on the adoption of the amendment, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton,
P. F. Edwards,	P. A. Lyon,	George Wright—28.
Joseph Gardner,		

Those who voted in the negative, were—

Andrew J. Ewing,	S. H. Jenkins,	G. W. Swoope,
James W. Hays,	R. B. Lovel,	Thos. W. Varnon—6.

Mr. Walton also moved to amend said bill by striking out the word "Tradewater," in the fourth line of the sixth section, and inserting in lieu thereof the words "each of said."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. Walton also moved to amend said bill by striking out all after the word "river," in the fourth line of the sixth section.

Which was adopted.

Mr. Walton then moved to amend said bill by inserting after the word "appropriated," in the fourth line of the 8th section the words "and the further sum of twenty-five thousand dollars per year, for two years, be appropriated as provided for in this act to be used upon Green river."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	C. N. Pendleton,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,



W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton,
P. F. Edwards,	P. A. Lyon,	George Wright—21.

Those who voted in the negative, were—

Wm. J. Berry,	James W. Hays,	G. W. Swoope,
Scott Brown,	R. G. Hays,	E. W. Turner,
Andrew J. Ewing,	S. H. Jenkins,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	Thos. W. Varnon—12.

Mr. Swoope then moved to amend the substitute proposed by Mr. Blackburn by adding the following as an additional section :

“ *Provided*, That convicts sentenced for the crime of man-slaughter shall be exempt from the provisions hereof.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
Andrew J. Ewing,	Joseph B. Read,	George Wright—13.
Joseph Gardner,		

Those who voted in the negative, were—

Wm. J. Berry,	Duncan Harding,	Sumner Marble,
James Blackburn,	George B. Hodge,	C. N. Pendleton,
Robert A. Briggs,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton—20.
James B. Garnett,	P. A. Lyon,	

Mr. Wright then moved to amend the substitute proposed by Mr. Blackburn by adding thereto the following as an additional section :

§ That it shall be lawful for the Keeper of the Penitentiary of this Commonwealth to employ or hire to others the able-bodied male convicts under sentence of confinement therein, or as many as may be deemed proper, to labor upon any of the streams of this Commonwealth for the purpose of slack-watering the same, as well by the erection of other locks and dams, as by the repairing and improving of those which have already been erected; and said Keeper may hire to others as many of such convicts as he may see proper for the same purpose.

§ The convicts thus employed outside of the penitentiary shall be under the care of some discreet, prudent, and otherwise competent person, who shall be styled Warden, to be selected by the Governor of the Commonwealth and the Keeper of the Penitentiary, who shall take an

oath that he will faithfully and to the best of his skill and judgment discharge the duties required of him by this act, and shall hold his office at the pleasure of the Governor and Keeper of the Penitentiary.

§ It shall be the duty of the Warden to exercise a careful oversight of the prisoners under his charge, to employ the necessary guards in order to prevent escapes, to look after the health and personal comfort of the prisoners, and see that they are kept employed but not overworked.

§ The Warden shall have the same power and authority over the prisoners, while employed outside of the penitentiary, and also while in transitu to the place or places where they are to be employed, and back and forth, and from one place of labor to another, as the Keeper of the Penitentiary now has under the law governing the same, and also the rules of the prison over the convicts within the walls of the Penitentiary, and the same now in force for the government of the prisoners shall apply and be in force, as far as practicable, to all convicts worked outside of the penitentiary under the provisions of this act; and any prisoner or prisoners, thus detailed to labor outside of the penitentiary, who shall escape, or attempt to escape, or who shall refuse to obey, or who shall resist the authority of the Warden or of the guards appointed by him, or who shall unite in any mutiny, or aid or abet any mutiny or resistance of the authority of the Warden aforesaid, or of the guards appointed by him, shall be deemed guilty of the same offense, and be punished in the same manner as if the same had been done within the walls of the penitentiary.

§ If any person or persons, not a convict, shall knowingly and willfully aid, abet, counsel, or assist any prisoner or prisoners, thus detailed or employed in labor outside of the penitentiary as aforesaid, to escape or attempt to escape, or to resist the Warden or guards, or in anywise to resist their authority, he or they so offending shall be deemed guilty of felony, and, upon conviction by a court of competent jurisdiction, be sentenced to confinement and labor in the penitentiary for not less than one nor more than four years, at the discretion of a jury.

§ It shall be the duty of the Keeper of the Penitentiary and the Governor of this Commonwealth to designate what number of convicts shall be employed at labor outside of the penitentiary as aforesaid, and also to prescribe what proper and reasonable reward shall be bestowed upon such convict so employed for faithfulness and good behavior, and they may also prescribe a system of rules and regulations adapted to the circumstances for the better government and control of the convicts so employed.

§ The State of Kentucky shall in nowise be responsible for any costs or charges or other liability growing out of any contract or agreement made or entered into pursuant to this act; and all officers created by this act shall be paid by the Keeper of the Penitentiary.

§ The Governor and Keeper of the Penitentiary may appoint as many Wardens as the necessities of the case may require.

§ The Keeper of the Penitentiary shall make a correct record of the convicts who shall be employed at labor as aforesaid, showing the name of each convict, when, where, and for what crime he was sentenced, as well as the duration of the sentence; one copy of which shall be furnished to the Warden having charge of them, and one copy shall be delivered to the Governor.

§ It shall be the duty of the Warden to keep a correct record, showing the number of days each convict has labored, whether any have been sick, whether any have escaped or attempted to escape, also deaths, if any, and

such other facts touching the conduct, demeanor, and welfare of each convict as he may deem of importance; of all which he shall make a report to the Keeper of the Penitentiary at the end of each month.

§ No convict shall be so employed or hired to others, as directed by this act, until he has given his consent in writing, which shall be signed and acknowledged by such convict before some justice of the peace of Franklin county, and the same to be filed with the Keeper of the Penitentiary.

§ It shall be the duty of the Keeper of the Penitentiary, on employing or hiring to others convicts, to require of such person or persons to provide for such convicts good, suitable, and safe places in which to sleep, and in all other respects to provide for them as now required by law while in the penitentiary.

§ No convict whose term of confinement is for a greater period of time than ten years shall be employed or hired out under the provisions of this act.

§ That this act shall take effect and be in force from its passage.

Pending the consideration of which motion, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties.

Said bill reads as follows, viz :

[*For bill, see Senate Journal March 3d, 1876.*]

The question was first taken on the amendment proposed by Mr. Lindsay, which reads as follows, viz :

“Amend by inserting in lieu of the words stricken out of the fifth section the following, viz : ‘Whenever any person against whom an assessment of a dog or dogs is made, shall refuse or fail to pay the tax on said dog or dogs, it shall be the duty of the sheriff to levy upon said dog or dogs, and sell the same for the taxes due ; and if no person shall bid the amount of said taxes, then the sheriff shall bid the said tax for the county, and shall proceed to kill the dog or dogs on which he has bid the tax, and shall receive for such service fifty cents for each dog so killed.’”

And it was decided in the affirmative.

Mr. R. G. Hays then moved to reconsider the vote by which the Senate had heretofore adopted the amendment proposed by Mr. Cunningham, which reads as follows, viz :

4th. Amend by striking out the 7th section and inserting in lieu thereof the following : “The proceeds of said taxes, and fines for the non-payment thereof, shall first be applied to the payment of the assessor for taking said list, and the balance shall be paid into the county treasury as a fund

to be applied to reimburse those whose sheep have been killed by dogs in said county ; claims for which fund shall be passed upon by the court of claims next succeeding."

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The question was then taken on the adoption of said amendment, and it was decided in the negative.

Mr. Goodloe then moved to commit said bill to the Committee on General Statutes and Codes of Practice, with instructions to report a general bill.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Blackburn, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Joseph Gardner,	George B. Hodge,
Wm. J. Berry,	James B. Garnett,	C. N. Pendleton,
Robert A. Briggs,	Wm. Cassius Goodloe,	Joseph B. Read,
W. W. Culbertson,	Duncan Harding,	C. J. Walton,
W. A. Cunningham,	R. G. Hays,	George Wright—15.

Those who voted in the negative, were—

Pollock Barbour,	S. H. Jenkins,	J. H. Stanley,
James Blackburn,	J. R. Leslie,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner,
F. L. Cleveland,	R. B. Lovel,	H. A. Tyler,
P. F. Edwards,	P. A. Lyon,	Thos. W. Varnon,
Andrew J. Ewing,	Sumner Marble,	W. L. Vories—19.
John Hyden,		

Mr. Varnon then moved to amend said bill by inserting after the word "Shelby," in the eighth section thereof, the word "Lincoln." coln."

Which was adopted.

Mr. Hyden moved to amend said bill by striking out of the eighth section thereof the counties of Harlan, Perry, Campbell, Bourbon, Clark, Montgomery, Fayette, and Marion.

Which was adopted.

Mr. R. G. Hays then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

Said bill was read a third time.



The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton,
P. F. Edwards,	P. A. Lyon,	George Wright—28.
Andrew J. Ewing,		

Those who voted in the negative, were—

G. W. Swoope, H. A. Tyler—2.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration

A bill for the propagation and protection of food-fishes in the waters of the State of Kentucky.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a commission of nine persons, to be styled the Fish Commissioners of Kentucky, who shall hold office for ——— years, and until their successors are appointed, shall be appointed by the Governor, to act in conjunction with the Commissioner of the United States, in stocking the waters of the State of Kentucky with such fishes as they may consider best adapted to furnish cheap and nutritious food for the people of the State. And for the purpose of enabling them to employ a suitable agent to take charge of and propagate such young fish and fish eggs as they may be able to obtain or procure, and for the purpose of erecting fish-ways over the dams in said waters, and removing obstructions, the sum of ——— is hereby appropriated. A majority of said commissioners shall have power and authority to select a proper agent, fix his compensation, make by-laws for the management of their business, and the disbursement of the money. They shall report to the Governor of the State of Kentucky annually how the money hereby appropriated has been expended. The Governor shall have power to fill any vacancies that may, from time to time, occur in said commission. Said commission shall not receive any compensation beyond their actual expenses, which shall be paid out of this appropriation.

§ 2. That it shall be unlawful for any person or persons to have in his or their possession any fish-trap, set-net, dip-net, or other contrivance, to be located in any of the waters of this State ; and any person finding any fish-trap, set-net, or other such contrivance, located in any of said waters, shall have the right to destroy the same ; and it shall be the duty of any

justice of the peace, or the judge of any county court, when information is laid before him that any fish-trap, set-net, or other such contrivance, is located in any waters within the county of his residence, to direct the sheriff of said county, or any constable thereof, to destroy such fish-trap, set-net, or other contrivance, and he shall be allowed by the county court of such county the sum of two dollars for each fish-trap, set-net, or other contrivance so destroyed, to be paid out of the county levy.

§ 3. That any person placing or using in any of the waters of this State any fish-trap, set-net, dip-net, fish-rack, bush or brush drag, or other such contrivance, shall be guilty of a misdemeanor, and on conviction thereof before any justice of the peace, shall be fined not exceeding ten dollars for each offense; and in case of failure to pay such fine and the costs of prosecution shall be confined at hard labor in the jail of the county for any length of time, not exceeding one day for each two dollars of fine and costs so imposed. The proceedings before said justice of the peace shall be by warrant, to be tried by him as in other penal cases.

§ 4. That any person or persons who shall place in any of the waters of this State any lime or other deleterious substance, or any drug or medicated bait, or any explosive agent, with intent thereby to injure, poison, or catch fish, shall be guilty of a misdemeanor, and, on conviction thereof, shall be fined not exceeding twenty dollars for each offense, and on failure to pay the fine imposed, and the cost of prosecution, shall be confined at hard labor in the jail of the county for a length of time not exceeding one day for every two dollars of said fine and costs. Any justice of the peace of the county wherein the offense is committed shall have jurisdiction to try and punish such offenses, proceeding by warrant as in other penal cases.

§ 5. That the commissioners aforesaid, or their successors, shall have the right to erect suitable fish-ways to enable the fishes aforesaid to pass over the dams erected on any of the navigable waters of this State, and to pay for the same out of the appropriation made by the first section of this act; and the several county courts of the Commonwealth shall not hereafter grant permission to erect mill-dams on any of the waters of this State without requiring the persons applying therefor to provide fish-ways over said dams, such as said county court shall approve.

§ 6. That all fines collected for violations of any of the provisions of this act shall be paid into the treasury of the county in which said fines are imposed: *Provided, however,* That this act shall not be construed to prevent any person from using minnow-nets to catch minnows for bait.

§ 7. This act shall take effect from its passage.

Mr. Turner moved to fill the blank in the eleventh line of the first section with "\$3,000."

Which was adopted.

Mr. Wright moved to amend said bill by adding after the word "Kentucky," in the sixth line of the first section, these words, viz: "By distributing the same equally in the different waters thereof."

Which was adopted.

Mr. Swoope moved to fill the blank in the third line of the first section by inserting the word "four."

Which was adopted.

Mr. Tyler moved to amend said bill as follows, viz :

“Strike out the word ‘nine,’ in the second line of the first section, and insert in lieu thereof the word ‘ten;’ and after the word ‘appointed,’ in the fourth line of the first section, add the words, ‘one from each congressional district in the State;’ and by striking out all of the first section after the word ‘State,’ in the seventh line thereof.”

Mr. Turner called for a division of the question.

The question was first taken on striking out the word “nine,” and inserting the word “ten,” and adding after the word “appointed,” in the fourth line the words, “one from each congressional district in the State,” and it was decided in the affirmative.

The question was then taken on striking out all of the first section after the word “State,” in the seventh line thereof, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
James B. Garnett,	C. N. Pendleton,	George Wright—8.
S. H. Jenkins,	H. A. Tyler,	

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Reed,
Thomas J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	G. W. Swoope,
Robert A. Briggs,	D. H. Lindsay,	E. W. Turner,
Scott Brown,	R. B. Lovel,	Thos. W. Varnon,
F. L. Cleveland,	P. A. Lyon,	C. J. Walton—20.
P. F. Edwards,	Sumner Marble,	

Pending the consideration of said bill, the regular hour for adjournment having arrived, the further consideration of said bill was cut off.

And then the Senate adjourned.

MONDAY, MARCH 11, 1876.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act to allow the payment of the reward offered by the Governor of this Commonwealth for the apprehension and conviction of Augden Bridgewater.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend chapter 60 of the General Statutes, title "Interest and Usury."

An act for the benefit of B. D. Bailey, of Webster county.

An act to amend the charter of the city of Newport.

An act to amend an act, entitled "An act to amend the charter of the town of Hartford," approved March 2, 1867.

An act for the benefit of the sheriff of Calloway county.

An act for the benefit of J. N. Williams, late assessor of Calloway county.

An act empowering the board of trustees of the town of Catlettsburg, in Boyd county, to sell and convey lot No. 37, in said town.

An act for the benefit of J. E. Mulkey, sheriff of Monroe county.

An act to authorize school district No. 52, in Pendleton county, to levy an additional tax for school purposes.

An act to amend an act to incorporate the Owingsville Cemetery Company, approved March 25, 1872.

An act for the benefit of M. M. Ellison, sheriff of Whitley county.

An act to amend the charter of the Augusta and Dover Turnpike Road Company, in Bracken county.

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

An act to amend and reduce into one the several acts in relation to the town of New Castle, Henry county.

An act to incorporate the Bank of Cynthiana.

An act for the benefit of W. B. Roe's heirs, and others, in Rowan county.

With an amendment to the last named bill.



That they had concurred in amendments proposed by the Senate to bills, which originated in the House of Representatives, of the following titles, viz :

An act to regulate the time of holding the criminal courts in Grant, Henry, Owen, and Boone counties.

An act for the benefit of Perry A. Cline, sheriff of Pike county.

An act to establish a criminal court in the fourteenth judicial district.

That they had passed bills of the following titles, viz :

1. An act to establish a Bureau of Agriculture, Horticulture, and Statistics.

2. An act to amend section 103 of an act, entitled "An act establishing a new charter for the city of Louisville."

3. An act to increase the jurisdiction of the quarterly court, justices' court, and police court, of Hancock county, and regulate appeals from the judgment thereof.

4. An act to amend section 8 of an act, entitled "An act establishing a new charter for the city of Louisville," approved March 3, 1870.

5. An act to incorporate the Gardnersville and Crittenden Turnpike Road Company, in Grant county.

6. An act to amend an act, entitled "An act to regulate official advertisements in the county of Henry," approved February 10, 1874.

7. An act to prohibit the sale of ardent, vinous, malt, or spirituous liquors in Three Forks district, in Warren county.

8. An act for the benefit of school district No. 1, Allen county.

9. An act for the benefit of C. P. Snell, of Warren county.

10. An act to authorize the board of trustees of Somerset to compel able-bodied males arrested on *capias pro fine* to pay such fine by work.

11. An act for the benefit of J. E. Vickery, late sheriff of Wayne county.

12. An act for the benefit of J. N. Shepperd, clerk of the Wayne circuit court.

13. An act to incorporate the Centennial Church of Colored Missionary Baptists at Louisville, Kentucky.

14. An act in aid of common schools of Livingston county.

15. An act for the benefit of Jacob Graff.

16. An act for the benefit of John Roberts, of Henry county.

17. An act to incorporate the South Louisville and Pleasure Ridge Turnpike and Gravel Road Company, of Jefferson county.

18. An act to amend section 3, article 2, chapter 106, General Statutes, title " Taverns."

19. An act to repeal section 3 of an act approved March 14, 1872, entitled "An act to amend the charter of Bryantsville, and further amend an act approved February 14, 1871."

20. An act authorizing the clerk of the Boyd circuit court to appoint a deputy, who may hold his office in Ashland.

21. An act to incorporate the Bethel and Eagle Valley Turnpike Road Company.

22. An act to incorporate the Minneola and Anderson Ferry Turnpike Road Company, in Boone county.

23. An act in aid of R. H. Caldwell, common school commissioner of Boyle county.

24. An act for the benefit of J. F. Rennick, late sheriff of Hickman county.

25. An act to re-enact an act, entitled "An act to incorporate the North Middletown and Thatcher's Mill Turnpike Road Company," approved March 11, 1869.

26. An act to incorporate Monroe Lodge, No. 103, I. O. O. F., at Milton, Kentucky.

27. An act to amend the charter of the Cumberland and Ohio Railroad Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Agriculture and Manufactures; the 2d, 11th, 15th, 16th, and 24th to the Committee on Finance; the 3d, 6th, 10th, 12th, and 20th to the Committee on Courts of Justice; the 4th 8th, 14th, and 23d to the Committee on Education; the 5th, 17th, 21st, 22d, and 25th to the Committee on Internal Improvement; the 7th, 9th, 13th, and 26th to the Committee on Religion and Morals; the 18th to the Committee on General Statutes; the 19th to the Committee on the Judiciary, and the 27th to the Committee on Railroads.

Leave was given to bring in the following bills, viz:

On motion of Mr. Harding—

1. A bill to regulate the jurisdiction of the police judge of the town of Carlisle, Nicholas county.

On motion of Mr. Edwards—

2. A bill for the benefit of M. Morton.

*Ordered*, That the Committee on Courts of Justice prepare and bring in the 1st, and the Committee on Propositions and Grievances the 2d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Berry, from the Committee on Religion and Morals—

An act to regulate the sale of vinous, spirituous, and malt liquors in the town of Madisonville, Hopkins county.

By Mr. Cleveland, from the Committee on Appropriations—

An act to establish a graded school in the town of Butler, Pendleton county.

By Mr. R. G. Hays, from the Committee on Finance—

An act to amend an act, entitled "An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties, approved February 4, 1876.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act to authorize the county court of McCracken county to take stock in the Paducah, Benton, and Murray Gravel Road Company.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Greenup and Riverton Building and Loan Association.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Edwards, from the Committee on Propositions and Grievances—

A bill to amend and explain an act, entitled "An act to incorporate the Green and Barren Navigation Company," approved March 9, 1868.

By Mr. Read, from the Committee on Privileges and Elections.

A bill to amend the charter of the city of Louisville.

By Mr. R. G. Hays, from the Committee on Finance—

A bill to amend an act to establish a board of commissioners of

taxes and assessments for the city of Louisville, approved February 17, 1866.

By Mr. Hodge, from the Committee on the Judiciary—

A bill to repeal an act creating the office of street commissioner in Newport, Campbell county, Kentucky.

By Mr. R. G. Hays, from the Committee on Railroads—

A bill to amend an act, entitled "An act to amend an act to incorporate the Cumberland and Ohio Railroad Company," approved March 11, 1873.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The following petitions and remonstrances were presented, viz :

By the Speaker—

1. Remonstrance of sundry citizens of Warren county, against the passage of a bill to regulate the jurisdiction and trial of criminal and penal cases in Warren county.

By Mr. Cleveland—

2. Remonstrance of sundry citizens of Augusta precinct, in Bracken county, against an increase of the jurisdiction of the mayor and marshal of Augusta.

By Mr. Gardner—

3. Petition of sundry citizens of Morgan county, praying amendments to the charter of the Licking River Lumber and Mining Company.

By Mr. Ewing—

4. Petition of sundry citizens of Bath county, praying the passage of an act to authorize the Bath county court to subscribe stock to build the Owingsville and McIntire's Ferry Turnpike Road.

By Mr. Varnon—

5. Petition of sundry citizens of Lincoln county, asking the repeal of the common pleas court for Lincoln and other counties, and for an act to change the time of holding courts in the 8th judicial district.



By Mr. Gardner—

6. Petition of B. F. Buckner, asking an appropriation for certain witness claims.

Which were received, the reading dispensed with, and referred—the 1st and 3d to the Committee on the Judiciary; the 2d to the Committee on Propositions and Grievances; the 4th to the Committee on Internal Improvement; the 5th to the Committee on Courts of Justice, and the 6th to the Committee on Claims.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act to incorporate the Lockport and Bethlehem Turnpike or Gravel Road Company.

An act for the benefit of Pat. Rush, jailer of Hart county.

An act to amend an act, entitled “An act to incorporate the Cairo and Tennessee River Railroad Company,” approved March 10, 1873.

The Senate took up for consideration

A bill for the benefit of Ambrose W. Dudley.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz:

WHEREAS, Ambrose W. Dudley, by act of the General Assembly, entitled “An act to provide for the erection of fire-proof offices at the Seat of Government,” approved February 2d, 1869, was appointed and qualified as one of the commissioners to carry out the provisions of said act, and did act in behalf of this Commonwealth as commissioner during the years 1869, 1870, and 1871; and while in discharge of his duties in behalf of the State, was subjected to a suit brought by John Haly (one of the contractors for the erection of said fire-proof offices), which suit grew out of matters solely of interest to this Commonwealth, and not of any personal interest to the said Dudley, the defendant in said suit, arising from the faithful discharge of his duties as commissioner; and whereas, the said Dudley necessarily incurred an expense of three thousand dollars and thirty-two cents paid by him in making his defense thereto:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of three thousand dollars and thirty-two cents be, and the same is hereby, appropriated, to Ambrose W. Dudley, to be paid out of any money in the treasury not otherwise appropriated, to reimburse him, the said Dudley, for expenses incurred as stated in the preamble; and the Auditor is directed to draw his warrant on the Treasurer in favor of said of said Dudley.

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	R. B. Lovel,	C. J. Walton—19.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Thos. J. Barker,	P. F. Edwards,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	P. A. Lyon,	George Wright—13.
W. W. Culbertson,		

So said bill was rejected, not having received the majority required by the Constitution.

The Senate took up for consideration

A bill for the propagation and protection of food-fishes in the waters of the State of Kentucky.

Mr. Barker moved to amend said bill by inserting after the word "fish-rack," in the second line of the third section, the word "seine;" and also in the third line of same section by adding after the word "contrivance," the words "or shall catch or take a fish from under a rock."

Mr. Lindsay moved to amend the amendment proposed by Mr. Barker by adding after the word "contrivance," and before the word "or," the words "or gig, spear, lance, or other such contrivance."

Which was dopted.

The question was then taken on the adoption of the amendment proposed by Mr. Barker as amended, and it was decided in the affirmative.

Mr. Vories then moved to amend said bill by adding after the word "bait," in the fourth line of the sixth section, the words "after the space of four years."

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton—25.
P. F. Edwards,		

Those who voted in the negative, were—

Wm. J. Berry,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	Sumner Marble,	W. L. Vories,
James B. Garnett,	C. N. Pendleton,	George Wright—9.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Lovel, from the committee heretofore appointed to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the House of Representatives, and that had passed the two Houses, entitled

An act to establish a criminal court in the fourteenth judicial district,

Reported that the committee had performed the duty assigned them.

A message was sent to the House of Representatives, asking leave to withdraw the announcement of their passage of said bill.

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Lovel then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that by which it was ordered to be read a third time, was also reconsidered.

Said bill reads as follows, viz :

[*For bill, see Senate Journal March 2d, 1876.*]

Mr. Lovel then moved to amend said bill by striking out the eleventh section thereof.

Which was adopted.

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were--

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright--30.

In the negative--none.

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in the first, second, third, and fourth amendments, and had refused to concur in the fifth amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to provide for the levy and collection of a tax upon dogs and to protect the rights of the owners thereof in certain counties.

The question was then taken, will the Senate recede from their fifth proposed amendment to said bill, and it was decided in the negative.

Mr. Goodloe then moved that a Committee of Conference be appointed on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to take into consideration the disagreement between the two Houses in relation to the fifth amendment proposed by the Senate to said bill.

Which motion was adopted.

The Speaker appointed Messrs. Goodloe, Cleveland, and Briggs said committee.

A message was received from the House of Representatives, announcing their appointment of a Committee of Conference, to act in conjunction with the committee appointed on the part of the Senate, to take into consideration the disagreement between the two Houses in relation to the fifth amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled



An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties.

Mr. Turner was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to withdraw, unsigned, from the hands of the Governor, a bill, which originated in the House of Representatives, and that had passed the two Houses, entitled

An act to amend an act, entitled "An act to establish tram-tracks or railways to navigable streams or railroads in Rockcastle county;"

After a short time, Mr. Turner reported that the committee had performed the duty assigned them.

Mr. Pendleton read and laid on the table the following resolution, viz :

WHEREAS, The House of Representatives having adopted a resolution providing for the adjournment of the General Assembly on the 13th inst., and the Senate having amended said resolution by substituting the 20th of March in lieu of the 13th, and the House having refused to concur in said Senate amendment, therefore,

*Resolved*, That the Senate recede from its amendment, and concur in the House resolution, adjourning on the 13th March.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of R. W. Major, late sheriff of Trigg county, and his sureties;

An act to continue ten years longer an act, entitled "An act to amend the charter of the town of Hustonville and amendments thereto," approved March 13, 1872 ;

An act to change the time of holding the Ballard county court;

An act to authorize the people of the Staffordsburg precinct, in Kenton county, to vote on the question as to whether spirituous liquors shall be sold in said precinct;

An act to incorporate the Louisville Elevator and Warehouse Company;

An act to authorize the judge of the Lincoln county quarterly court to appoint a clerk of his court ;

An act to incorporate the James Owen Lodge, Independent Sons of Honor, No. 1 ;

An act to amend the title of chapter 159 of the act approved February 14, 1876 ;

An act to incorporate the Jersey Ridge Turnpike Road, in Mason county ;

An act for the benefit of the German American School Association of Owensboro;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to cause the surplus of the Sinking Fund to be transferred to the Revenue Proper;

An act to amend an act, entitled "An act to incorporate the town of Paintsville," approved March 25, 1872;

An act to incorporate the Baptist Centennial Theological College, of Knox county;

An act for the benefit of S. I. M. Major and Waller Overton;

An act to incorporate Guthrie City, in Todd county;

An act to charter the Barren River Bridge Company;

An act for the benefit of T. A. McGill, late sheriff of Breckinridge county;

An act to prevent the destruction by cattle or other stock of willows and small trees growing and being planted on the banks of the Ohio river, in Trimble and Oldham counties and part of Carroll county;

An act for the benefit of John N. Howard, late sheriff of Harlan county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate, according to order, resumed the consideration of a bill providing for the extension of the Penitentiary, building new cell-houses and workshops, &c., &c., together with the amendment proposed by Mr. Wright to the substitute proposed by Mr. Blackburn pending at the hour of adjournment on yesterday.

The point of order being made that said amendment to said substitute was not germane thereto,

The Speaker decided that said point of order was well taken, and declared said amendment out of order.

Mr. Ewing moved to postpone the further consideration of said bill and pending amendments until Monday next, the 13th inst., at 11½ o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. R. G. Hays then moved to amend said bill as follows, viz :

By striking out all of section 8 after the word " Auditor," in the 2d line thereof, and inserting in lieu thereof the following: " He shall, twelve months thereafter, draw his warrant upon the Treasurer for the balance due said contractor or contractors, with six per cent. interest, if, in the opinion of the architect and commissioners, the work appears then to have been constructed in a good and substantial manner and of good material, as per contract contemplated in section five."

Which was adopted.

The question was then taken on the adoption of the substitute proposed by Mr. Blackburn, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Pendleton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	P. F. Edwards,	Sumner Marble,
Thos. J. Barker,	Joseph Gardner,	C. N. Pendleton,
Wm. J. Berry,	James B. Garnett,	E. W. Turner,
James Blackburn,	Wm. Cassius Goodloe,	H. A. Tyler,
Robert A. Briggs,	George B. Hodge,	W. L. Vories,
F. L. Cleveland,	J. R. Leslie,	C. J. Walton,
W. W. Culbertson,	D. H. Lindsay,	George Wright—22.
W. A. Cunningham,		

Those who voted in the negative, were—

Scott Brown,	John Hyden,	Joseph B. Read,
Andrew J. Ewing,	S. H. Jenkins,	J. H. Stanley,
Duncan Harding,	R. B. Lovel,	G. W. Swoope,
R. G. Hays,	P. A. Lyon,	Thos. W. Varnon—12.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

Said bill was read a third time.

Mr. Swoope then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Duncan Harding,	P. A. Lyon,
Andrew J. Ewing,	S. H. Jenkins,	G. W. Swoope,
Joseph Gardner,	R. B. Lovel,	George Wright—9.

Those who voted in the negative, were—

Pollock Barbour,	P. F. Edwards,	Joseph B. Read,
Thos. J. Barker,	James B. Garnett,	J. H. Stanley,
James Blackburn,	Wm. Cassius Goodloe,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
Scott Brown,	George B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	J. R. Leslie,	W. L. Vories,
W. W. Culbertson,	D. H. Lindsay,	C. J. Walton—23.
W. A. Cunningham,	Sumner Marble,	

Mr. Swoope then moved to reconsider the vote by which the Senate had ordered said bill to be read a third time.

Which motion was adopted.

Mr. Swoope then moved to amend said bill by exempting from the provisions thereof the female convicts in the penitentiary.

And the question being taken on the adoption of the amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Brown, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	J. H. Stanley,
Thos. J. Barker,	George B. Hodge,	G. W. Swoope,
James Blackburn,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
F. L. Cleveland,	R. B. Lovel,	Thos. W. Varnon,
W. W. Culbertson,	P. A. Lyon,	W. L. Vories,
W. A. Cunningham,	Sumner Marble,	C. J. Walton,
James B. Garnett,	Joseph B. Read,	George Wright—24.

Those who voted in the negative, were

P. F. Edwards,	R. G. Hays,	C. N. Pendleton—3.
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Mr. Gardner then moved to amend said bill by adding thereto the following as an additional section, viz :

“That the sum of ten thousand dollars be appropriated to be expended on Red river, and that the commissioners shall set apart a sufficient number of convicts to work upon said stream to the amount appropriated in the ratio as to other streams.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Gardner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	Duncan Harding,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
Andrew J. Ewing,	S. H. Jenkins,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	W. L. Vories,
James B. Garnett,	J. H. Stanley,	George Wright—15.



Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	D. H. Lindsay,
Thos. J. Barker,	P. F. Edwards,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	C. N. Pendleton,
James Blackburn,	R. G. Hays,	G. W. Swoope,
Robert A. Briggs,	George B. Hodge,	C. J. Walton—17.
F. L. Cleveland,	J. R. Leslie,	

Mr. Swoope then moved to amend said bill by exempting from the provisions thereof convicts who are minors under sixteen years of age.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	S. H. Jenkins,	G. W. Swoope,
Joseph Gardner,	R. B. Lovel,	E. W. Turner—7.
John Hyden,		

Those who voted in the negative were—

Pollock Barbour,	P. F. Edwards,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	C. N. Pendleton,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
Scott Brown,	Geo. B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	J. R. Leslie,	W. L. Vories,
W. W. Culbertson,	D. H. Lindsay,	C. J. Walton,
W. A. Cunningham,	P. A. Lyon,	George Wright—27.

Mr. Barker then moved to amend said bill by adding thereto the following as an additional section, viz :

“ No convict shall be so employed or hired to others, as directed by this act, until he has given his consent, in writing, which shall be signed and acknowledged by such convict before some justice of the peace of Franklin county, and the same be filed with the Keeper of the Penitentiary.”

Which was adopted.

Mr. Barker also moved to amend said bill by adding thereto the following as an additional section, viz :

“ No convict whose term of confinement is for a greater period of time than ten years shall be employed or hired out under the provisions of this act.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Tyler then proposed the following as the substitute for said bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be lawful for the Keeper of the Penitentiary of this Commonwealth to employ, or hire to others to work outside of the penitentiary upon works of Internal Improvement, and in iron and coal mines within the limits of this Commonwealth as many of the able-bodied male convicts under sentence therein as may be deemed proper : *Provided*, No skilled mechanic shall be worked, or hired to work, outside of the prison walls.

§ 2. The convicts worked outside of the penitentiary shall be under the care of some discreet, prudent, and otherwise competent person, who shall be styled Warden ; to be selected by the Governor and the Keeper of the Penitentiary, who shall take an oath to faithfully, and to the best of his skill and ability, discharge the duties required of him in this act. He shall hold his office at the pleasure of the Governor and the Keeper of the Penitentiary.

§ 3. It shall be the duty of the warden to exercise a careful oversight of the prisoners under his charge ; to employ the necessary guards in order to prevent escapes ; to look after the health and personal comfort of the prisoners, and see that they are kept employed, but not overworked nor abused. They shall not be worked over eight hours each day, from the 10th of October to the 10th of March, and not over ten hours each day, from the 10th of March to the 10th of October.

§ 4. The warden shall have the same power and authority over the prisoners while employed or worked outside of the penitentiary, and while going to or returning from the place where they are to be employed, as the Keeper of the Penitentiary now has, under the law governing the same. The prisoners worked outside of the penitentiary shall be governed, as far as is practical, by the rules and regulations which govern those worked and kept inside of the prison.

§ 5. Any prisoner or prisoners who, while employed or working outside of the prison, or while going to or from any place of work, shall escape, or attempt to escape, or who refuses to obey, or who resists the authority of the warden or of the guards appointed by him, or who shall join in any mutiny, or shall aid and abet in any mutiny or resistance of the authority of the warden or of the guards appointed by him, shall be deemed guilty of the same offense, and be punished in the same manner as if the offense had been committed within the walls of the penitentiary.

§ 6. If any person or persons, not a convict, shall knowingly and willfully aid, abet, counsel, advise, or assist any prisoner outside of the penitentiary to escape or attempt to escape, or to resist the authority of the warden or guards, such person or persons so offending shall be guilty of felony, and, upon conviction, shall be sentenced to confinement and labor in the penitentiary of the State for not less than one year and not more than four years, at the discretion of the jury.

§ 7. It shall be the duty of the Governor and the Keeper of the Penitentiary to designate what number of convicts shall be employed outside of the penitentiary, and also to prescribe a reasonable reward to be bestowed on convicts so employed, for faithfulness and good behavior. They may also prescribe a system of rules and regulations for the government and control of convicts so employed not inconsistent with this act.

§ 8. The State shall not be responsible for any costs, charges, or other liability growing out of any contract or agreement made or entered into

under authority of, or pursuant to this act; and all officers appointed by authority of this act shall be paid by the Keeper of the Penitentiary.

§ 9. The warden shall have the same authority to issue warrants for the arrest and recapture of convicts who escape while employed or worked outside of the penitentiary, as the Keeper of the Penitentiary now has by law for the arrest and retaking of convicts escaping from the penitentiary; and such convicts as may escape while employed outside of the penitentiary may be delivered by the officer or person who arrests them to the warden, or to the Keeper of the Penitentiary. The person who recaptures and delivers any convict who escaped while employed out of the penitentiary to the Warden or Keeper, shall be paid by the Keeper of the Penitentiary a reward of twenty five dollars, and all reasonable expenses.

§ 10. If any sheriff or other officer shall refuse or willfully neglect to obey the warrant of the Warden, authorized in the foregoing section, he shall be fined not less than ten nor more than one hundred dollars for each offense.

§ 11. The Governor and the Keeper of the Penitentiary may appoint any number of wardens that may be required.

§ 12. The Keeper of the Penitentiary shall make and keep a record of the convicts employed under Wardens outside of the prison, showing the name of each convict, when, where, and for what crime he was convicted and sentenced, the duration of his sentence, and the day on which his term of imprisonment will expire; the Keeper shall furnish one copy of the record to the Warden having charge of such convicts, and one copy to the Governor.

§ 13. It shall be the duty of the Warden to liberate and set free every convict under his control, when his term of confinement in the penitentiary expires, unless he is held for another offense; and he shall report to the Governor and the Keeper of the Penitentiary the name and date of liberation of each convict liberated by him; he shall report to the Keeper at the end of each month the number of days each convict has worked, the number of days each one has been sick, if any have escaped or attempted to escape, and the name of each; all deaths, and such other facts as he may think important.

§ 14. No convict shall be employed or hired to work outside of the penitentiary until he consents to do so, which shall be in writing, signed and acknowledged by such convict before some justice of the peace, of Franklin county, which written consent and acknowledgment shall be kept by the Keeper of the Penitentiary.

§ 15. It shall be the duty of the Keeper of the Penitentiary, on employing, or hiring to others, convicts, to provide or require the persons hiring them to provide for them good, suitable, and safe places in which to sleep, to see that they are comfortably clothed and well fed, and that they are in all respects, when not impractical, provided for as is now required by law while they are in the penitentiary. It shall be the duty of the Warden to see that this section is carried out by persons who hire and work convicts under his control; and upon any failure or refusal to thus provide for such convicts, the Warden shall report the facts to the Governor and the Keeper of the Penitentiary, who shall see that proper provision is made for such convicts, or the contract under which they are worked shall be forfeited and annulled.

§ 16. No convict whose term of confinement is for a greater period of time than three years shall be employed or hired out under the provisions of this act.

§ 17. This act shall take effect from its passage.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Culbertson,	R. G. Hays,	Joseph B. Read,
Andrew J. Ewing,	S. H. Jenkins,	J. H. Stanley,
Joseph Gardner,	R. B. Lovel,	E. W. Turner,
James B. Garnett,	P. A. Lyon,	H. A. Tyler,
Duncan Harding,	C. N. Pendleton,	George Wright—15.

Those who voted in the negative, were—

Pollock Barbour,	F. L. Cleveland,	Sumner Marble,
Thos. J. Barker,	W. A. Cunningham,	G. W. Swoope,
Wm. J. Berry,	P. F. Edwards,	Thos. W. Varnon,
James Blackburn,	Wm. Cassius Goodloe,	W. L. Vories,
Robert A. Briggs,	George B. Hodge,	C. J. Walton—17.
Scott Brown,	J. R. Leslie,	

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Jenkins, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	J. R. Leslie,
Thos. J. Barker,	P. F. Edwards,	D. H. Lindsay,
James Blackburn,	Joseph Gardner,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	C. N. Pendleton,
F. L. Cleveland,	George B. Hodge,	W. L. Vories,
W. W. Culbertson,	John Hyden,	C. J. Walton—18.

Those who voted in the negative, were—

Wm. J. Berry,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	R. B. Lovel,	E. W. Turner,
James B. Garnett,	P. A. Lyon,	H. A. Tyler,
Duncan Harding,	Joseph B. Read,	Thos. W. Varnon,
R. G. Hays,	J. H. Stanley,	George Wright—14.

Said bill was then read a third time.

Mr. Blackburn then moved to reconsider the vote by which the Senate had ordered said bill to be read a third time.

Mr. Walton moved to lay that motion on the table.

Pending the consideration of said motion,

Mr. Briggs moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :



Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	C. N. Pendleton,
Scott Brown,	Duncan Harding,	Joseph B. Read,
F. L. Cleveland,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	George Wright—24.

Those who voted in the negative, were—

Thos. J. Barker,	Robert A. Briggs,	Sumner Marble,
Wm. J. Berry,	George B. Hodge,	W. L. Vories,
James Blackburn,	D. H. Lindsay,	C. J. Walton—9.

And then the Senate adjourned.

## MONDAY, MARCH 13, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Mechanics' Savings Association.

An act to amend the charter of the city of Cynthiana.

An act to repeal section three of an act to amend the charter of the town of Shelby City.

An act to amend an act incorporating the town of Frenchburg, in Menifee county, Kentucky.

An act to amend an act, entitled "An act to charter the Mechanics' Bank of Paducah," approved February 7, 1867.

An act to protect the Newport and Covington Bridge Company.

An act to incorporate the Troublesome Creek Boom Company, in Breathitt county.

An act extending the charter of the Farmers' Bank of Kentucky.

An act to regulate appeals from the Winchester police court in criminal and penal cases.

An act to incorporate the town of Summer Shade, in Metcalfe county.

An act to incorporate the Summit Station Turnpike Road Company, in Nicholas county.

An act to establish an institution of learning in or near the town of Proctor, in Lee county.

An act to incorporate the Muldraugh's Hill Lithographic Stone and Mining Company.

An act to incorporate the German Evangelical Zion's Church, of Owensboro.

An act to amend the revenue laws, and to re-enact certain sections of chapter 2060, Session Acts of 1869, entitled "An act to amend the revenue laws," approved 15th March, 1869.

An act for the benefit of the creditors of the Montgomery and Bath Stock Association.

An act to authorize the county court of Webster county to issue bonds, and to levy a tax to pay the same.

An act to incorporate the Grassy Flat Ditch Company, of Daviess county.

An act to amend the charter of the city of Louisville, and directory to the Board of Commissioners of Public Charities of said city.

An act to incorporate Mount Tabor Church and Burial Grounds, in Lewis county.

An act to amend an act, entitled "An act to incorporate the Ancient Order of United Workmen."

An act to amend the charter of the city of Louisville.

An act to repeal sections 5, 6, and 7 of an act, entitled "An act to amend the charter of the town of Harrodsburg," approved February 18, 1870.

An act to amend the charter of the Salvisa and Kirkwood Turnpike Road Company.

An act to amend the charter of the town of Parkland.

An act to authorize courts of claims to impose a tax upon dogs for county purposes.

An act to amend an act, entitled "An act to incorporate the Liberty and Green River Turnpike Road Company, in Casey county," approved March 25, 1870.

An act to establish a district for the purpose of working and keeping in repair certain roads running into the town of Big Spring, in the counties of Meade, Hardin, and Breckinridge.

An act for the benefit of D. P. Johns, of Hickman county.

An act to amend section 6, chapter 75, General Statutes, for the benefit of the sheriffs of Metcalfe and Monroe counties.

An act to create a criminal court in the 16th judicial district.

An act to amend the charter of the Kentucky River Turnpike Road Company.

Resolution in regard to sword of Adjutant G. N. Cardwell.

That they had disagreed to a bill, which originated in the Senate, of the following title, viz :

An act to amend an act to regulate the sale of medicines and poisons, approved February 26, 1876.

That they had passed bills and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

Resolution appropriating twenty-five dollars to Miss Mary O. Murray.

An act for the benefit of M. B. Cox, late sheriff of Morgan county, and his sureties.

An act to amend the charter of the city of Hopkinsville.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act to amend section 7, chapter 112, General Statutes.

2. An act to amend section 1, article 23, of chapter 28, of the General Statutes.

3. An act to amend an act, entitled "An act to secure the payment into the Treasury of all fines, taxes, and license fees collected by trustees of the jury fund, clerks, and other officers," approved February 23, 1874.

4. An act to amend section 52, article 2, chapter 39, General Statutes.

5. An act to amend article 3, chapter 29, of the General Statutes.

6. An act to authorize the Quarter-Master General to audit and report to the General Assembly all claims for property taken and services rendered by the State troops in the late civil war.

7. An act to amend an act, entitled "An act to regulate the sale of medicines and poisons," approved February 21, 1874.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, and 5th to the Committee on General Statutes and Codes of Practice; the 6th to the Committee on Military Affairs, and the 7th to the Committee on Finance.

Leave was given to bring in the following bills, viz :

On motion of Mr. Brown—

A bill to pay to school district No. 17, Franklin county, the funds due said district for the school year ending June 30th, 1876.

On motion of Mr. Wright—

A bill to protect sheep, and to authorize the county courts to impose a tax on dogs for county purposes.

*Ordered*, That the Committee on Education prepare and bring in the 1st, and the Committee on Agriculture and Manufactures the 2d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of W. O. Newman, of Metcalfe county.

By same—

An act for the benefit of J. F. Rennick, late sheriff of Hickman county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate Hawesville Lodge, No. 91, Independent Order of Odd Fellows.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

An act to amend chapter 42, title "Ferries," General Statutes.

By Mr. Barker, from the Committee on Internal Improvement—

An act to incorporate the Gardnersville and Crittenden Turnpike Road Company, in Grant county.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to incorporate the Bricklayers' Union, No. 4, of Louisville, Kentucky.

By Mr. Garnett, from the Committee on the Judiciary—

An act to repeal section three of an act approved March 14, 1872, entitled "An act to amend the charter of Bryantsville," and further amend an act approved February 14, 1871.



By same—

An act conferring certain powers on the board of trustees of the town of Hazelgreen, Wolfe county.

By Mr. Tyler, from the Committee on the Judiciary—

An act regulating the ferry in Livingston county, opposite Golconda, in Illinois.

By same—

An act to incorporate the town of Spottsville, in Henderson county.

By same—

An act to amend the charter of the city of Louisville.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Berry, from the Committee on Propositions and Grievances—

A bill for the benefit of M. Martin, of Cumberland county.

By Mr. Garnett, from the Committee on the Judiciary—

A bill to repeal an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district."

By same—

An act to incorporate the town of Leslie, in Graves county.

By same—

A bill giving Farish Arnett, late sheriff of Magoffin county, further time in which to make out and return his delinquent lists for the years 1873 and 1874.

By Mr. Tyler, from the Committee on Courts of Justice—

A bill for the benefit of John M. Power, sheriff of Magoffin county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Mayfield and Wadesboro Gravel Road Company.

An act to change the time of holding the Ballard county court.

An act to authorize the judge of the Lincoln county quarterly court to appoint a clerk of his court.

An act to continue ten years longer an act, entitled "An act to amend the charter of the town of Hustonville and amendments thereto," approved March 13, 1872.

An act for the benefit of the German American School Association of Owensboro.

An act for the benefit of R. W. Major, late sheriff of Trigg county, and his sureties.

An act to incorporate the Jersey Ridge Turnpike Road, in Mason county.

An act to incorporate the Louisville Elevator and Warehouse Company.

An act to incorporate the James Owen Lodge, Independent Sons of Honor, No. 1.

An act to provide for opening, repairing, and keeping in repair the public roads in Gallatin county.

An act to protect game and small birds, and to punish trespass.

An act to authorize the people of the Staffordsburg precinct, in Kenton county, to vote on the question as to whether spirituous liquors shall be sold in said precinct.

Mr. Hodge read and laid on the table the following joint resolution, viz :

WHEREAS, Jacob Lamb, when a youth of sixteen, took part in the war of the Revolution, and afterwards under Wayne, in the war of 1812, and never having applied for or received remuneration, and his remains now sleep beyond the confines of this State; therefore, to keep alive in the bosom of the youth of our land that patriotic fervor that gave us our liberties, it is meet that some appropriate honors should be paid to the remains of the heroes of said wars; and whereas, to carry out the views of those not wishing to be a tax upon the government, therefore, be it

*Resolved by the General Assembly of the Commonwealth of Kentucky,*  
That the friends and relatives are hereby permitted to remove the remains of Jacob Lamb to the State Cemetery at Frankfort, and inter them therein, without expense to the State, and erect a suitable monument, with inscription thereon.

The rule of the Senate being dispensed with, said resolution was taken up, twice read, and adopted.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled

An act for the benefit of W. B. Roe's heirs, and others, in Rowan county.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend the title of an act, entitled "An act for the benefit of O. C. Bowles and George N. Brown, and their associates, lessees, and vendees," approved March 15, 1871,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Hodge, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	George B. Hodge,	G. W. Swoope,
W. A. Cunningham,	John Hyden,	E. W. Turner,
Joseph Gardner,	S. H. Jenkins,	W. L. Vories—10.
R. G. Hays,		

Those who voted in the negative, were—

Wm. J. Berry,	H. F. Finley,	P. A. Lyon,
James Blackburn,	James B. Garnett,	Sumner Marble,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	J. R. Leslie,	C. J. Walton,
W. W. Culbertson,	R. B. Lovel,	George Wright—19.
Andrew J. Ewing,		

So said bill was disagreed to.

Said bill reads as follows, viz :

WHEREAS, Doubts have arisen whether or not the title of the act, entitled "An act for the benefit of O. C. Bowles and George N. Brown,

and their associates, lessees, and vendees," approved March 15, 1871, sufficiently expresses the subject of said act, and to remove such doubt,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the title of said act be, and the same is hereby, so amended as to read as follows: "An act authorizing O. C. Bowles, Geo. N. Brown, and their associates, lessees, and vendees, to construct a wharf or landing in the town of Catlettsburg, and to collect fees for the use of the same."

§ 2. This act shall take effect from its passage.

Mr. Finley then moved to reconsider the vote by which the Senate had refused to order said bill to be read a third time.

Mr. Wright moved to lay that motion on the table.

Which motion was adopted.

A message was received from the House of Representatives, announcing that they had passed a bill and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of M. Martin, of Cumberland county.

Resolution providing for the removal of the remains of Jacob Lamb, a soldier of the wars of the Revolution and of 1812, to the State Cemetery at Frankfort.

Mr. R. G. Hays, from the Committee on Finance, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of Merrill Hardin, of Garrard county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed to draw his warrant on the treasurer in favor of Merrill Hardin, for the sum of thirteen hundred and three dollars and sixty-one cents, payable out of any funds in the treasury not otherwise appropriated, as payment of the interest on four thousand and eighty-four dollars and fifty-six cents, at the rate of six per cent. per annum, which sum was, by error, paid into the treasury by said Hardin on the 26th day of November, 1866, and refunded to him on the 21st day of March, 1872.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Joseph B. Read,
Thos. J. Barker,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	G. W. Swoope,



F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—25.
Duncan Harding,		

Those who voted in the negative, were—

James Blackburn, Robert A. Briggs, James B. Garnett—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn, from the Committee on Charitable Institutions, to whom had been referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of the Institution for the Education of Feeble-minded Children,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, It has been represented by the Commissioners of the Institution for the Education of Feeble-minded Children that certain work and repairs should immediately be done on said building, by which there will be an annual saving of money to the Commonwealth ; now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky.* That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to make the following repairs, and for the following purposes: To repair and build bathing tubs and washstands, covering steam pipe to prevent the escape of steam, to readjust the water-pipes of the building, and to do such painting as may be done with whatever money is left after the foregoing repairs and work is completed.

§ 2. *Be it further enacted*, The Auditor of Public Accounts shall draw his warrant on the Treasurer for so much of said appropriation as may be necessary to pay for said work when the accounts shall have been properly attested as now required by law, and the Treasurer shall pay the same over to the Treasurer of the Board of Commissioners, who shall be required to account for the same as he is now required to account for the funds of said institution.

§ 3. This act shall take effect from and after its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	C. N. Pendleton,
Wm. J. Berry,	R. G. Hays,	Joseph B. Read,

James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright--32.
Joseph Gardner,	P. A. Lyon,	

In the negative—G. W. Swoope—1.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Garnett, from the Committee on the Judiciary, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to protect the interest of the Commonwealth of Kentucky in certain cases," approved February 24, 1873,

Reported the same with an amendment.

Which was adopted.

Mr. Read moved an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

Mr. Vories moved that the further consideration of said bill be postponed, and that it be placed in the orders of the day.

Which motion was adopted.

Mr. Garnett, from the Committee on the Judiciary, to whom had been committed a bill, entitled

A bill to prevent frauds upon travelers on railroads and other conveyances,

Reported the same without amendment.

*Ordered*, That said bill be printed and placed in the orders of the day.

The Senate, according to order, took up for consideration

A bill providing for the extension of the penitentiary, building new cell-house, work-shops, &c., &c.,

With the amendment heretofore adopted as a substitute for said bill, entitled

An act to create a State Board of Internal Improvement Commissioners, and to define their powers and duties.

Mr. Swoope moved to postpone the further consideration of said bill indefinitely.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James B. Garnett,	R. B. Lovel,
Scott Brown,	Duncan Harding,	P. A. Lyon,
W. W. Culbertson,	R. G. Hays,	Joseph B. Read,
W. A. Cunningham,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	John Hyden,	H. A. Tyler,
H. F. Finley,	S. H. Jenkins,	George Wright—19.
Joseph Gardner,		

Those who voted in the negative, were—

Pollock Barbour,	George B. Hodge,	E. W. Turner,
Thos. J. Barker,	J. R. Leslie,	Thos. W. Varnon,
James Blackburn,	D. H. Lindsay,	W. L. Vories,
Robert A. Briggs,	Sumner Marble,	C. J. Walton—14.
F. L. Cleveland,	J. H. Stanley,	

So said bill was rejected.

Mr. Swoope then moved to reconsider the vote by which the Senate had rejected said bill.

Mr. Jenkins moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	B. W. S. Huffaker,	Joseph B. Read,
W. W. Culbertson,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	R. B. Lovel,	H. A. Tyler,
H. F. Finley,	P. A. Lyon,	George Wright—13.
James B. Garnett,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	C. N. Pendleton,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	E. W. Turner,
Robert A. Briggs,	John Hyden,	Thos. W. Varnon,
Scott Brown,	J. R. Leslie,	W. L. Vories,
F. L. Cleveland,	D. H. Lindsay,	C. J. Walton—20.
W. A. Cunningham,	Sumner Marble,	

The question was then taken on reconsidering the vote by which the Senate had rejected said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Geo. B. Hodge,	C. N. Pendleton,
James Blackburn,	John Hyden,	E. W. Turner,
Robert A. Briggs,	J. R. Leslie,	Thos. W. Varnon,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,
W. W. Culbertson,	Sumner Marble,	C. J. Walton—16.
W. A. Cunningham,		

Those who voted in the negative were—

Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	J. H. Stanley,
Andrew J. Ewing,	B. W. S. Huffaker,	G. W. Swoope,
H. F. Finley,	S. H. Jenkins,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	George Wright—17.
James B. Garnett,	P. A. Lyon,	

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Hugh Mulholland ;

An act to incorporate the bank of J. B. Wilgus & Co., of Lexington ;

An act to amend the charter of the town of Richmond ;

An act to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Vanceburg, in Lewis county ;"

An act to authorize the mayor and council of the city of Augusta, in Bracken county, to make a subscription to the Augusta and Berlin Turnpike Road Company ;

An act to incorporate the Henderson Female College, of Henderson ;

An act in relation to commissioner's sales in Nelson county ;

An act to incorporate the Ohio County Bank ;

An act giving Henry Fields, late sheriff of Perry county, the further time of six months in which to make out and return his delinquent list for the years 1873-'4 ;

An act to amend an act incorporating the Winchester and Kentucky River Turnpike Road Company ;

An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Corinth Church, in Grant county ;

An act to amend the act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington, approved March 5, 1876 ;

An act for the benefit of J. E. Mulkey, sheriff of Monroe county ;



An act to amend an act to incorporate the Owingsville Cemetery Company, approved March 25, 1872;

An act for the benefit of M. M. Ellison, sheriff of Whitley county;

An act to amend an act, entitled "An act to amend the charter of the town of Hartford," approved March 2, 1867;

An act to amend the charter of the Augusta and Dover Turnpike Road Company, in Bracken county;

An act to amend the charter of the town of Hickman;

An act for the benefit of the Moorefield and Upper Blue Lick Turnpike Road Company;

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville;"

An act to authorize school district No. 52, in Pendleton county, to levy an additional tax for school purposes;

An act to amend and reduce into one the several acts in relation to the town of New Castle, Henry county;

An act for the benefit of M. Martin, of Cumberland county;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Demossville Turnpike Company;

An act to regulate the time of holding the criminal courts in Grant, Henry, Owen, and Boone counties;

An act to amend the charter of Brandenburg, in Meade county;

An act for the benefit of Meade county;

An act for the benefit of J. C. Andrews, of Clinton county;

An act to change the line between the counties of Barren and Metcalfe;

An act to amend the charter and laws of the town of Bellview, in Campbell county;

An act to establish a criminal court in the fourteenth judicial district;

An act to incorporate the Tygert Valley Turnpike Road Company, in Greenup and Carter counties;

An act to amend an act, entitled "An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties, approved February 4, 1876;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto,

and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Mr. Turner, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to amend article eleven, chapter twenty-nine, of General Statutes,

Reported the same without amendment.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That article eleven of chapter twenty-nine of the General Statutes be, and it is, amended by striking out the word "four" wherever it occurs in sections one, four, and five, and by inserting the word "twenty" in its place; and by striking out the words "thirty days" in section five, and by inserting "twelve months" in their place: *Provided*, That in any prosecution after this act takes effect, for larceny done before it takes effect, if the value of the article stolen was less than four dollars, no female shall be imprisoned more than thirty days; and if the stolen article was of the value of four dollars or more, and less than twenty dollars, the defendant shall have the benefit of the milder punishment prescribed by this act, if he asks for it; and if he does not, the punishment shall be that now prescribed by the article hereby amended.

Mr. Walton moved to commit said bill to the Committee on the Judiciary.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Swoope moved to amend said bill by striking out the word "twenty," in the first section thereof, and inserting in lieu thereof the word "ten."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Swoope also moved to amend said bill by striking out the word "female," in the first section thereof.

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Finley moved to amend said bill by adding as a proviso thereto the following, viz :

"*Provided*, That the provisions of this act shall not apply to the counties composing the Seventeenth Senatorial District."

Mr. Walton moved to amend the amendment proposed by Mr. Finley by adding thereto the counties of Hart, Green, and Larue.

Pending the consideration of which amendment, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz:

An act to amend and explain an act, entitled "An act to incorporate the Green and Barren River Navigation Company," approved March 9, 1868.

An act to repeal an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district."

An act to amend section sixteen, article thirteen, chapter thirty-eight, of the General Statutes.

An act to amend an act, entitled "An act to incorporate the Silver Spar and Mining Company."

An act to authorize sale of muzzle-loading guns in State Arsenal.

An act to amend chapter ninety-two of the General Statutes, title "Revenue and Taxation."

An act to incorporate the New Castle, Pleasureville, and Sweet Home Turnpike Road Company, in Henry county.

An act giving the consent of the Legislature of this State to the purchase or condemnation by the United States Government of land within the State for public purposes.

An act to change the terms of circuit courts in the counties of Boone and Franklin.

That they had passed bills of the following titles, viz:

1. An act to regulate the civil jurisdiction of justices of the peace, police judges, and quarterly courts, and the appellate jurisdiction of circuit courts from judgments of said courts, and to authorize the quarterly courts to appoint clerks.

2. An act to repeal an act, entitled "An act to change the time of holding the Union circuit court," approved March 1, 1876.

3. An act to fix the compensation of the militia when in actual service.

4. An act to amend chapter seventy-six of the General Statutes, title "Militia."

5. An act for the benefit of John C. Evans, late deputy sheriff and tax collector of Hickman county.

6. An act to amend an act, entitled "An act to increase the jurisdiction of quarterly courts in Hickman and other counties, approved February 17, 1874.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 2d to the Committee on Courts of Justice; the 3d and 4th to the Committee on Military Affairs; the 5th to the Committee on the Judiciary, and the 6th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Read, from the Committee on Education, to whom was recommended

A bill to incorporate the district of Cold Spring, in Campbell county,

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Goodloe, from the Committee of Conference heretofore appointed to take into consideration the disagreement between the two Houses in relation to the fifth amendment proposed by the Senate to a bill from the House of Representatives, entitled

An act to provide for the levy and collection of a tax upon dogs and to protect the rights of the owners thereof in certain counties,

Made the following report, viz :

The Conference Committee to whom was referred the disagreement of the two Houses in relation to amendment number five proposed by the Senate to House bill No. 453, entitled "An act to provide for the levy and collection of a tax upon dogs, and to protect



the rights of the owners thereof in certain counties," respectfully report that Senate adheres to amendment number five.

W. C. GOODLOE,  
F. L. CLEVELAND,  
R. A. BRIGGS.

Which was adopted.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled.

An act for the benefit of licensed owners of stud-horses, jacks, and bulls, in Madison and Garrard counties.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Briggs, from the Committee on Claims, reported

A bill for the benefit of various persons of Breathitt county, summoned by the Commonwealth to testify in the case of the Commonwealth against Green Puckett, who applied for bail under a writ of *habeas corpus*.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Green Puckett, confined in the jail of Fayette county on a charge of murder (he having been indicted for that offense by a grand jury of Breathitt county, and ordered to the Fayette jail by the judge of the Breathitt circuit court, on account of the insecurity of the Breathitt county jail), applied for a writ of *habeas corpus*, alleging that he was entitled to bail; and whereas, many persons were summoned from Breathitt county on behalf of the Commonwealth, and there being no law, in the opinion of the Auditor, to pay them for attending as witnesses, now, therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*. That the following order of the Fayette court of common pleas, to-wit: State of Kentucky, Fayette court of common pleas, February special term, 1876; February 2d, 1876: ordered, that the following named witnesses for the Commonwealth in the matter of the writ of *habeas corpus*, issued on the application for bail by Green Puckett (who is in the custody of the jailer of Fayette county, having been indicted by the grand jury of Breathitt county for the murder of Simon Holland, and ordered by the judge of the Breathitt circuit court to be committed to the jail of Fayette county for safe-keeping), be allowed the following sums, to-wit:

NAMES.	DAYS.	MILES.	TOLL.	AMOUNT.
T. J. White	3	400	40 cents.	\$19 40
S. P. Frazee	2	228		11 12
Dennis Brewer	2	200	20 cents.	10 00
Green Cooper	2	200	20 cents.	10 20
George Brewer	2	200	10 cents.	10 10
M. W. Puckett	2	200	20 cents.	10 20
A. J. Wood	2	200		10 00
Abner Miller	2	200	20 cents.	10 20
Henry Pence	2	200		10 00
Wm. Shackelford	2	200	20 cents.	10 20
Littleton Holland	2	200		10 00
Nancy Holland	2	200	20 cents.	10 20
Sandford Holland	2	200		10 00
John M. Puckett	3	400	40 cents.	19 40
Jeremiah King	2	200		10 00
Amounting to				\$171 02

And that said allowance be certified to the Auditor of Public Accounts for payment.

Attest: ASA McCONATHY,  
Clerk Fayette Court of Common Pleas, Kentucky.

Be, and the same (amounting to one hundred and seventy-one dollars and two cents), paid out of any money in the Treasury not otherwise appropriated, and the Auditor is directed to draw his warrant for the same and in like manner as witnesses are now paid in Commonwealth cases.

§ 2. This act shall be in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	B. W. S. Huffaker,	E. W. Turner,
Andrew J. Ewing,	John Hyden,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	W. L. Vories,
Wm. Cassius Goodloe,	Sumner Marble,	C. J. Walton—24.

Those who voted in the negative, were—

Thos. J. Barker,	Robert A. Briggs,	J. R. Leslie,
Wm. J. Berry,	F. L. Cleveland,	George Wright—8.
James Blackburn,	S. H. Jenkins,	

*Resolved*, That the title of said bill be as aforesaid.

Bills from the House of Representatives, of the following titles were reported from the several committees to whom they had been referred, viz :

By Mr. Read, from the Committee on Education—

An act in aid of the common schools of Grayson county.

By Mr. Brown, from the Committee on Internal Improvement—

An act to amend an act, entitled "An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company," approved January 22, 1876.

By same—

An act to amend an act, entitled "An act to incorporate the Dreaming Creek Turnpike Road Company, in Madison county," approved March 15, 1871.

By same—

An act to incorporate the Dexter and Lowell Turnpike Road Company, in Mason county.

By same—

An act to authorize the Boyd county court to purchase the Ashland and Catlettsburg Turnpike.

By Mr. Barker, from the Committee on Internal Improvement—

An act to re-enact an act, entitled "An act to incorporate the North Middletown and Thatcher's Mill Turnpike Road Company," approved March 11, 1869.

By same—

An act to amend an act, entitled "An act for the benefit of turnpike roads in Scott county," approved March 21, 1872.

By Mr. Stanley, from the Committee on Religion and Morals—

An act to incorporate the Tollsboro Cemetery Company, of Lewis county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act authorizing the clerk of the Boyd circuit court to appoint a deputy, who may hold his office in Ashland.

By same—

An act to allow the voters of Floyd county to vote on the proposition of moving the county seat of said county.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cleveland, from the Committee on Appropriations—

A bill to incorporate the Bradford's Landing and Washington Trace Turnpike Road Company, in Bracken county.

By Mr. Goodloe, from the Committee on the Judiciary—

A bill to provide for the levy and collection of a tax on dogs, and protect the rights of the owners thereof in Fayette and other named counties.

By Mr. Lovel, from the Committee on Propositions and Grievances—

A bill to amend and reduce into one the several acts in reference to the town of Marion.

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to authorize the Carlisle and Jackstown Turnpike Road Company (upper route), in Nicholas county, to dispose of its franchises, road-bed, and right of way.

By Mr. R. G. Hays, from the Committee on Finance—

A bill for the benefit of Thomas Greenwade, late sheriff of Menifee county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Briggs, from the Committee on Claims, to whom was referred a bill, which originated in the House of Representatives, entitled

An act for the benefit of E. F. Adkins, of Whitley county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, By an act of the General Assembly of the Commonwealth of Kentucky, approved February 5, 1867, as appears from the Acts of 1867, volume 1, page 270, the Auditor of Public Accounts was authorized to draw his warrant on the Treasury in favor of E. F. Adkins, of Whitley county, for the sum of one dollar per day for the time he guarded the jail of Whitley county while Lewis Parton was confined therein for the murder of James Leforce, the time to be certified to the Auditor by the clerk of the Whitley circuit court; and whereas, the Auditor refused, and still



refuses, to draw his warrant on the Treasury for the amount due said E. F. Adkins, by reason of the fact that the "ayes and nays" were not taken upon the passage of said bill, as required by law (the amount due being more than one hundred dollars); now, for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed to draw his warrant on the Treasury in favor of E. F. Adkins, of Whitley county, for the sum of one dollar per day for the time he guarded the jail of Whitley county while Lewis Parton was confined therein for the murder of Jas. Leforce, the time to be certified to the Auditor as other claims on the Treasury are certified.

§ 2. This act shall take effect from its passage.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—26.
Joseph Gardner,	Joseph B. Read,	

Those who voted in the negative, were—

Wm. J. Berry,	J. R. Leslie,	Sumner Marble—4.
S. H. Jenkins,		

Mr. Swoope, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to amend section nine, article thirty-five, chapter twenty-nine, of the General Statutes,

Reported the same with an amendment.

Said bill reads as follows, viz :

*Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 9, article 35, chapter 29, of the General Statutes, be, and the same is hereby, repealed, and in lieu thereof the following is enacted : "Any vendor of ardent spirits who shall sell, lend, give, or convey vinous, spirituous, or malt liquors, or any mixture of either, to a person under twenty-one years of age, other than his own children, without the special written request of the father, mother, guardian, or proper custodian of such infant, specifying the person by name, and the quantity of liquor to be delivered ; and any person under twenty-one and over sixteen years of age who shall buy, borrow, or receive, from any vendor of ardent spirits, vinous, spirituous, or malt liquors, or any mixture of either, without the

special written consent of his father, mother, guardian, or proper custodian, specifying the person by name, and the quantity of liquor to be received, shall be fined in any amount not exceeding one hundred dollars.

The amendment proposed by the committee reads as follows, viz :

"Insert after the word 'vendor,' wherever it occurs in the bill, the words 'or giver.'"

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

Mr. R. G. Hays then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—11.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner,
W. W. Culbertson,	R. B. Lovel,	Thos. W. Varnon,
W. A. Cunningham,	Sumner Marble,	W. L. Vories—21.

Mr. Lindsay then moved to amend said bill by adding thereto the following, viz :

"*Provided, however,* That any minor over nineteen years of age, who shall represent himself as being of age, shall suffer the penalty prescribed against the vendor in this act."

Which was dopted.

Mr. Gardner then moved to amend said bill by adding thereto the following viz :

"That it shall be the duty of every saloon-keeper or vendor of ardent spirits by license, to furnish to the grand jury at their meetings a list of the names of each individual who has drank in his saloon, and said list shall be verified by affidavit."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Read and Hodge, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	H. A. Tyler,
F. L. Cleveland,	S. H. Jenkins,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—9.

Those who voted in the negative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Wm. J. Berry,	R. G. Hays,	Joseph B. Read,
James Blackburn,	George B. Hodge,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories—24.

Mr. Cleveland then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	George B. Hodge,	Robert Simmons,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	Joseph B. Read,	Thos. W. Varnon—10.
R. G. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	J. H. Stanley,
Wm. J. Berry,	John Hyden,	E. W. Turner,
James Blackburn,	S. H. Jenkins,	H. A. Tyler,
Robert A. Briggs,	J. R. Leslie,	W. L. Vories,
F. L. Cleveland,	D. H. Lindsay,	C. J. Walton,
W. A. Cunningham,	R. B. Lovel,	George Wright—23.
Joseph Gardner,	P. A. Lyon,	

So said bill was disagreed to.

And then the Senate adjourned.

TUESDAY, MARCH 14, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to cause the surplus of the Sinking Fund to be transferred to the Revenue Proper.

An act to incorporate the Kentucky Infirmary for Women and Children.

An act for the benefit of S. I. M. Major and Waller Overton.

An act to prevent the destruction by cattle or other stock of willows and small trees growing and being planted on the banks of the Ohio river, in Trimble and Oldham counties and part of Carroll county.

An act for the benefit of John N. Howard, late sheriff of Harlan county.

An act for the benefit of T. A. McGill, late sheriff of Breckinridge county.

An act to reduce into one and amend the act and amendatory acts incorporating the city of Ashland.

An act to incorporate the Bath County Agricultural and Mechanical Association.

An act to incorporate the Fox Creek and Washington County Turnpike Road Company.

An act to incorporate Guthrie City, in Todd county.

An act to incorporate the Zoological Garden Association, of Jefferson county.

An act to amend an act, entitled "An act to amend an act, entitled 'An act to amend and reduce into one the several acts in relation to the town of Greenupsburg.'"

An act to amend the charter of the congregation Adas Israel.

An act to regulate the sale of vinous, spirituous, and malt liquors in Union county.

An act for the benefit of John B. Stevens, Joseph B. Bennett, and the personal representatives of Wm. Duke, Wm. Brown, and Titus Bennett.



An act for the benefit of the town of Booneville, Owsley county, Kentucky.

An act for the benefit of the Dix River and Lancaster Turnpike Road Company.

An act to protect game and to punish trespass on lands in Adair county.

An act for the benefit of W. M. Kerby, sheriff of Garrard county.

An act for the benefit of W. E. Clelland, late sheriff of Mercer county.

An act to amend an act, entitled "An act to incorporate the town of Paintsville," approved March 25, 1872.

An act to incorporate the town of Burlington, in Boone county.

An act to incorporate the Baptist Centennial Theological College, of Knox county.

That they had concurred in an amendment proposed by the Senate to a bill, which originated in the House of Representatives, of the following title, viz :

An act to amend the charter of the city of Louisville.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act in relation to an act to incorporate the Kentucky and Great Eastern Railway Company, approved March 22, 1870.

An act to amend an act, entitled "An act to incorporate the Kentucky Association for the Improvement of the Breed of Horses."

An act to incorporate the Princeton Bank.

An act to legalize certain proceedings and orders of the Caldwell county court.

An act to regulate the holding of the chancery, criminal, and circuit courts at Alexandria, in Campbell county, in the twelfth judicial district.

An act to amend an act authorizing a portion of the Jamestown magisterial district, in Campbell county, to be taxed to purchase the Newport and Dayton Turnpike Road, and to bridge Taylor creek.

An act to legalize the issue of certain bonds issued by the commissioners of a portion of the Jamestown magisterial district, in Campbell county.

An act to authorize the city of Newport, Campbell county, to encourage manufactures.

An act to amend chapter seventy-seven, title "Mills," of the General Statutes.

An act to incorporate the Bradford's Landing and Washington Trace Turnpike Road Company, in Bracken county.

An act to incorporate the district of Cold Spring, in Campbell county.

An act to provide for the levy and collection of a tax on dogs, and protect the rights of the owners thereof in Fayette and other named counties.

An act for the benefit of the sureties of J. B. Brassfield.

With amendments to the last two named bills.

Which were taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to incorporate the town of Stanton, in Powell county.
2. An act for the benefit of Nancy Fuel, an idiot, of Boyle county.
3. An act to amend the charter of the town of Prestonville.
4. An act for the benefit of school district No. 13, in Morgan county.
5. An act providing for the location and defining the county line between the counties of Morgan and Wolfe.
6. An act to improve roads in Butler county.
7. An act to increase the jurisdiction of the police judge of Woodbury.
8. An act for the benefit of A. B. Duvall.
9. An act for the benefit of Z. Tyree, late common school commissioner for Carter county.
10. An act to authorize and empower the Christian county court of claims to levy and have collected an additional tax to be used in repairing and improving roads in said county.
11. An act to amend an act, entitled "An act to incorporate the Fry's Creek Turnpike Road Company, in Lincoln and Casey counties," approved March 25, 1872.
12. An act to incorporate the Turnersville and Vandiver Turnpike Road Company, in Lincoln county.
13. An act to change the line between the counties of Clay and Owsley.
14. An act in relation to the police court of Winchester, Kentucky.
15. An act to incorporate the Louisville and Paducah Railroad Company.

16. An act for the benefit of litigants and attorneys of the Owsley circuit court.

17. An act to attach the farms and possessions of Jesse H. and Robert Baker, of Metcalfe county, to Cumberland county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 3d to the Committee on the Judiciary; the 2d to the Committee on Claims; the 4th and 9th to the Committee on Education; the 5th, 13th, and 17th to the Committee on Propositions and Grievances; the 6th, 10th, 11th, and 12th to the Committee on Internal Improvement; the 7th, 14th, and 16th to the Committee on Courts of Justice; the 8th to the Committee on Finance, and the 15th to the Committee on Railroads.

Leave was given to bring in the following bills, viz:

On motion of Mr. Brown—

1. A bill to give the sheriff of Franklin county longer time to pay in the revenue of Franklin county.

On motion of Mr. Lindsay—

2. A bill to amend chapter eighteen, General Statutes, entitled “Common Schools.”

*Ordered*, That the Committee on General Statutes and Codes of Practice prepare and bring in the 1st, and the Committee on Education the 2d.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate Monroe Lodge, No. 103, I. O. O. F., at Milton, Kentucky.

By same—

An act to incorporate the Centennial Church of Colored Missionary Baptists, at Louisville, Kentucky.

By same—

An act to incorporate Grayson Lodge, No. 186, Independent Order of Odd Fellows.

By Mr. Tyler, from the Committee on the Judiciary—

An act for the benefit of John C. Evans, late deputy sheriff and tax-collector of Hickman county.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Union Bank of Louisville.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of John Roberts, of Henry county.

By same—

An act to incorporate the Literary and Benevolent Society of St. Mary of the Angels.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Barker, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act to amend an act, approved February 18, 1860, to empower the county court of Bath county to make subscription to the capital stock of turnpike road companies," approved February 5, 1868.

By Mr. Lovel, from the Committee on Claims—

A bill for the benefit of W. G. McGill, late deputy sheriff of Breckinridge county.

By Mr. Lindsay, from the Committee on Penitentiary and House of Reform—

A bill to provide for the extension of the penitentiary, for building a new cell-house, workshops, &c.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That the last named of said bills be printed and placed in the orders of the day, and the others be severally engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.



Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend chapter 60 of the General Statutes, title "Interest and Usury ;"

An act to incorporate the Calloway Agricultural and Mechanical Association;

An act to provide for the payment of expenses incurred by the Ohio county court in taking care of a pauper idiot;

An act for the benefit of the sheriff of Calloway county;

An act to amend the charter of the city of Newport;

An act to incorporate the Bank of Cynthiana;

An act for the benefit of B. D. Bailey, of Webster county;

An act declaring the Cumberland river and tributaries above the falls navigable streams;

An act incorporating the town of Rocky Hill, Edmonson county;

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route;

An act to establish and maintain a graded free school in the town of Harrodsburg;

An act regulating tax on circuses, menageries, theatres, &c., in Kentucky;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the National Grange of the Patrons of Husbandry;

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto.

An act to regulate the road law of Kenton county.

An act for the benefit of George W. Pickett, late sheriff of Adair county;

An act for the benefit of Perry A. Cline, sheriff of Pike county;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

A message was received from the House of Representatives, announcing that they had adopted the report of the Committee of Conference appointed to take into consideration the disagreement between the two Houses in relation to the fifth amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act to provide for the levy and collection of a tax upon dogs and to protect the rights of the owners thereof in certain counties.

That they had passed a bill, which originated in the Senate, entitled

An act to provide for the ventilation of the cells in the cell-house of the penitentiary.

A message was also received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to amend the charter of the Cumberland and Ohio Railroad Company.

Which was granted, and the bill delivered to the messenger.

On motion of Mr. Cunningham, leave of absence, indefinitely, was granted Mr. Pendleton.

A message in writing was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY,  
EXECUTIVE OFFICE, March 14, 1876. }

*Gentlemen of the Senate and House of Representatives :*

At the beginning of the present session of the General Assembly, in my first message, I earnestly recommended that you, without delay, by appropriate legislation, afford such relief as you might think right and proper for our over-crowded and illy-ventilated Penitentiary.

You are now within five days of an adjournment *sine die*, and no relief whatever has been provided. Nearly two years will elapse before the General Assembly will convene again, and my duty compels me to say to you that, in my opinion, enlightened humanity as well as your obligations to the Commonwealth, absolutely and imperatively demand that you should legislate for the benefit of the Penitentiary before you adjourn.

The reports of the various Keepers show that in January, 1865, there were 201 convicts, and that December 31st, 1875, when you assembled,

there were 881; and now there are 889 convicts in the Penitentiary. It requires no argument to show that, at this remarkable rate of increase, before the next meeting of the Legislature there will be near 1,100 convicts in the Penitentiary.

There are but 684 cells in the prison; and there are, therefore, 205 more convicts confined in the Penitentiary than there is room for, or than proper regard for health or decency makes allowable. The law requires solitary confinement in the prison, yet, on account of the inadequacy of room, the Keeper of the Penitentiary is compelled to place two convicts in many of the cells, in opposition to the law and the universal opinion that solitary confinement is essential to prison discipline and moral improvement.

These convicts are violators of the law, and they have incurred the condemnation of society; but they are human beings, and the Prison Inspectors, and the Physicians appointed by the Commissioners of the Sinking Fund, and all persons who are familiar with our Penitentiary, report that their situation is unworthy of the civilization of our people or the wealth of our State.

There is, perhaps, no plan of relief that is entirely free from objections; yet it is the part of wise statesmanship, where relief is required, to adopt that plan which is least objectionable.

It is not my purpose to state exactly what relief you should give, for I believe that your wisdom will dictate what is right and proper. I suggest, however, that the enactment of a law increasing the amount necessary to constitute grand larceny will furnish some relief. You can then provide the further relief needed by either enlarging the Penitentiary or authorizing the employment of a certain number of convicts, under proper regulations, upon the navigable rivers of the State. The recent reduction of the revenue tax makes me unwilling to suggest the construction of a Branch Penitentiary, until it is ascertained whether the large amount of money necessary for its construction can be spared from the Treasury.

I call your attention specially, also, to the condition of our improvements in Kentucky river. In doing this, however, I do not wish to be understood as giving a preference to this river over any other navigable stream in the State. My only desire is to impress you with my belief that a general system of improvement for our navigable streams will, by aiding in the development of our mineral and material resources, be beneficial to the Commonwealth; and also to urge upon you the neces-

sity of such legislation as will preserve to our State river improvements that cost, in the aggregate, nearly one million of dollars. One dam in the Kentucky river has already washed out; and it is asserted by competent persons, that unless repairs are made on the remaining dams, there is great danger of others being washed away or permanently injured before the next meeting of the Legislature.

Aside from the fact that this river penetrates one of the largest and most valuable coal and iron fields west of the Allegheny mountains, where the choicest timber of every description can be found, and could be made to benefit counties in which reside over half a million of Kentuckians, and thus increase the revenue annually poured into our Treasury, it is our duty to make every proper effort to preserve and utilize the improvements already made.

The Executive Department cannot originate laws or provide the relief needed. The Legislative Department must originate the relief. I therefore earnestly and respectfully present these important subjects for your consideration, and leave the responsibility with you.

JAMES B. MCCREARY, *Governor*.

*Ordered*, That said message be printed.

A message was also received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz:

An act for the benefit of Hugh Mulholland.

An act for the benefit of M. Martin, of Cumberland county.

An act for the benefit of the Moorefield and Upper Blue Lick Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Central Passenger Railroad Company, of the city of Louisville."

An act to amend an act to incorporate the Owingsville Cemetery Company, approved March 25, 1872.

An act to amend an act, entitled "An act to amend the charter of the town of Hartford," approved March 2, 1867.

An act for the benefit of M. M. Ellison, sheriff of Whitley county.

An act for the benefit of J. E. Mulkey, sheriff of Monroe county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts in regard to the town of Vanceburg, in Lewis county."

An act to authorize school district No. 52, in Pendleton county, to levy an additional tax for school purposes.



An act to incorporate the bank of J. B. Wilgus & Co., of Lexington.

An act to amend the charter of the town of Richmond.

An act to amend an act incorporating the Winchester and Kentucky River Turnpike Road Company.

An act in relation to commissioner's sales in Nelson county.

An act to incorporate the Ohio County Bank.

An act to amend the charter of the Augusta and Dover Turnpike Road Company, in Bracken county.

An act to amend the charter of the town of Hickman.

An act giving Henry Fields, late sheriff of Perry county, the further time of six months in which to make out and return his delinquent list for the years 1873-'4.

An act to amend the act to create a court of common pleas in the counties of Boyle, Garrard, Lincoln, Marion, Mercer, Rockcastle, and Washington, approved March 6, 1876.

An act to authorize the mayor and council of the city of Augusta, in Bracken county, to make a subscription to the Augusta and Berlin Turnpike Road Company.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had passed a bill from the House of Representatives, entitled

An act to incorporate the Springfield and Bradfordsville Turnpike Road Company.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Briggs moved an amendment to said bill.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Edwards moved to reconsider the vote by which the Senate had, on yesterday, passed a bill, which originated in the House of Representatives, entitled

An act in aid of the common schools of Grayson county.

Which motion was adopted.

Said bill reads as follows, viz :

WHEREAS, It appears from vouchers filed, that N. C. Tilford, late common school commissioner for Grayson county, has paid out a surplus fund to various school districts in said county for the years 1872-'3, amounting to the sum of one hundred and seven dollars and eight cents, and which sum he has refunded to the Auditor of Public Accounts by order of the Superintendent of Public Instruction ; for remedy whereof,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the commissioner of Grayson county draw his draft upon the Auditor of Public Accounts, which, when countersigned by the Superintendent of Public Instruction, shall entitle N. C. Tilford to a warrant upon the Treasury for the sum of one hundred and seven dollars and eight cents, to be paid out of the interest of the Grayson county school bond, due for the school year ending June 30, 1877.

§ 2. This act shall take effect from and after the first day of January, 1877.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	G. W. Swoope,
Robert A. Briggs,	B. W. S. Huffaker,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	J. R. Leslie,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	Sumner Marble,	George Wright—29.
Joseph Gardner,	Joseph B. Read,	

In the negative—none.

*Resolved,* That the title of said bill be as aforesaid.

Mr. Edwards was appointed a committee to withdraw from the House of Representatives the announcement of their passage of a bill, which originated in the House of Representatives, entitled

An act to allow the voters of Floyd county to vote on the proposition of moving the county seat of said county.

After a short time, Mr. Edwards reported that the committee had performed that duty, and said bill was handed in at the Clerk's desk.

Mr. Edwards then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Mr. Walton, from the Committee on Penitentiary and House of Reform, reported

A bill to provide for the ventilation of the cells in the cell-house of the Penitentiary.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund be, and they are hereby, authorized to have the cells of the present cell-house of the State Penitentiary properly ventilated, after plan and specification of H. P. McDonald, architect of the city of Louisville, Kentucky.

§ 2. The said commissioners are authorized to let out said work, after fifteen days' notice shall have been given, to the lowest responsible bidder, and order from time to time the Auditor of Public Accounts to draw his warrant upon the Treasurer any amount, not to exceed seventy per cent. of the work done at the time.

§ 3. To carry out the provisions of this act, there is hereby appropriated the sum of three thousand and five hundred dollars, or so much thereof as may be necessary to complete the work, not otherwise appropriated; and the Auditor shall issue his warrant upon the Treasurer as provided for in section two of this act, and not to exceed in the aggregate the sum specified in section three.

§ 4. The Commissioners of the Sinking Fund shall report to the next General Assembly the manner in which the work is done and the amount expended upon said improvement.

§ 5. Said commissioners shall not order the thirty per cent. remaining to be paid until they are satisfied that the work has been completed according to the contract and the specifications.

§ 6. Said Commissioners of the Sinking Fund shall make satisfactory arrangements with the Keeper of the Penitentiary for ingress and egress during the progress of said work, and require the contractor to complete the work within one hundred and twenty days from date of the contract.

§ 7. This act shall be in force from its passage.

Mr. Blackburn moved to amend said bill by adding thereto the following as an additional section, viz :

“*Provided*, That no bidder upon this work shall employ convict labor.”

Which was rejected.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	Sumner Marble,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
P. F. Edwards,	D. H. Lindsay,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton—30.

Those who voted in the negative, were—

James Blackburn,	B. W. S. Huffaker,	George Wright—4.
James B. Garnett,		

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases.

Said bill reads as follows, viz :

§ 1: *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, When any person shall be lodged in jail, in default of bail, charged with a misdemeanor, whether committed to jail under an indictment or by the order of an examining court, it shall be the duty of the jailer to notify the judge of the quarterly court and the county attorney of the fact, if the court in which the prisoner is indicted, or is ordered to appear, is not in session.

§ 2. The judge of the quarterly court shall thereupon call upon the clerk of the court in which the prisoner stands indicted, or is ordered to appear, and said clerk shall make out and deliver to said judge a certified copy of the record in his possession, by virtue of which the prisoner was arrested and is detained.

§ 3. Said judge shall cause the prisoner to be brought before him at the court-house; shall inform him of the charge against him; fix a time on that or another day for the trial; issue summons for witness, and have a jury summoned. If the prisoner has no attorney, and is too poor to employ one, the court shall, at his request, appoint an attorney to defend him.

§ 4. The trial shall be conducted in all respects as if it were in the circuit court. The judge shall, as clerk, do whatever the clerk of a circuit court should do in such trial, keeping in a book to be provided for the purpose, a correct record of all proceedings had in every case.

§ 5. The proceedings, after judgment is rendered, shall be in all respects the same as proceedings upon a judgment rendered by the circuit court.

§ 6. The circuit courts shall have appellate jurisdiction over judgments of quarterly courts in cases of misdemeanor in their respective counties, when the amount of the judgment against the defendant is fifty dollars or upward; and appeals shall be taken and prosecuted as provided by law in cases of appeals from justices' courts to circuit courts.



§ 7. It shall be the duty of the county attorney to prosecute all cases of misdemeanor in the quarterly court, and for his services he shall have the same fee in every case that the Commonwealth's Attorney would have in the case if prosecuted in the circuit court.

§ 8. The quarterly court, for the purpose of exercising the jurisdiction hereby conferred, shall be deemed always open, except on Sundays and legal holidays.

§ 9. If, at the end of any term of a circuit court, or other court having general criminal jurisdiction, there shall be persons in jail indicted for misdemeanors, such court shall make an order transferring such indictments to the quarterly court; and the clerk of such court shall immediately, upon its adjournment, furnish a copy of the record in such case to the judge of the quarterly court, who shall proceed to the trial of such persons as hereinbefore provided.

§ 10. The provisions of this act shall not apply to Jefferson county.

Mr. Cunningham moved to amend said bill by striking out the 6th section thereof, and inserting in lieu thereof the following, viz :

An appeal may be taken from the judgment of the quarterly court to the circuit court if it is for more than twenty dollars, or for confinement in the jail or work-house for more than ten days, or if, being for both fine and imprisonment, either the fine is over twenty dollars or the term of imprisonment is over ten days.

The defendant may supersede such judgment by executing before the judge of the quarterly court a bond, with good security, conditioned that he will appear in the circuit court, and not depart therefrom without its leave, and will perform its judgment by paying any fine that may be assessed, or by surrendering his body for confinement, or both, as the judgment may require. If any forfeiture shall be taken on said bond, the judgment thereon shall be for the fine, costs, and two dollars for every day of confinement adjudged; and, in addition, upon failure of the defendant to appear, the circuit court shall enter the judgment appealed from against the defendant, which he may be required to satisfy, and for that purpose the proper writ shall be issued.

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

*Ordered*, That said bill be read a third time, as amended.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,

Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	R. B. Lovel,	George Wright—26.
James B. Garnett,	P. A. Lyon,	

Those who voted in the negative, were—

Thos. J. Barker,	H. F. Finley,	Robert Simmons,
Scott Brown,	Sumner Marble,	G. W. Swoope—7.
P. F. Edwards,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Turner then moved to reconsider the vote by which the Senate had passed said bill.

Mr. Wright moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—25.
James B. Garnett,		

Those who voted in the negative, were—

Thos. J. Barker,	H. F. Finley,	Sumner Marble,
Scott Brown,	R. G. Hays,	Robert Simmons,
P. F. Edwards,	D. H. Lindsay,	G. W. Swoope—9.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had rejected a bill, entitled

An act for the benefit of Ambrose W. Dudley.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Brown and Lindsay, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	J. R. Leslie,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
P. F. Edwards,	Joseph B. Read,	W. L. Vories,
Wm. Cassius Goodloe,	Robert Simmons,	C. J. Walton,
Duncan Harding,	J. H. Stanley,	George Wright—19.
R. G. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	W. W. Culbertson,	B. W. S. Huffaker,
Thos. J. Barker,	Andrew J. Ewing,	John Hyden,
Wm. J. Berry,	H. F. Finley,	Sumner Marble,
James Blackburn,	Joseph Gardner,	E. W. Turner—14.
F. L. Cleveland,	George B. Hodge,	

Said bill reads as follows, viz :

[*For bill, see Senate Journal March 11th, 1876.*]

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Geo. B. Hodge,	Robert Simmons,
Scott Brown,	S. H. Jenkins,	J. H. Stanley,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
P. F. Edwards,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	W. L. Vories,
Wm. Cassius Goodloe,	P. A. Lyon.	C. J. Walton—20.
Duncan Harding,	Joseph B. Read,	

Those who voted in the negative were—

Thos. J. Barker,	Andrew J. Ewing,	Sumner Marble,
Wm. J. Berry,	H. F. Finley,	G. W. Swoope,
James Blackburn,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	George Wright—14.
W. W. Culbertson,	John Hyden,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Brown, from the Committee on Internal Improvement, reported

A bill for the improvement of Green river, Nolin river, and Bear creek, in Edmonson county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Green and Nolin rivers have heretofore been, by an act of the Legislature, declared navigable streams; and whereas, Bear creek, though it has not been declared a navigable stream, is of sufficient width and depth to allow flat-boats, rafts, and logs run out of it for several miles above its mouth; and whereas, the Geological Survey, made by Professor Shaler, of the county of Edmonson, showed that that portion of the county lying north of Green river through which Nolin river and Bear creek run is richer in iron and coal than any other portion of the State;

and whereas, it is impossible to ship or transport either coal or iron down said streams to market in consequence of obstructions, such as loose stones, snags, sunken logs, sand-drifts, fish-dams, and leaning trees. And believing that a judicious and proper expenditure in removing the obstructions out of said rivers will greatly improve the navigation of said streams, and that they can thereby be made safe and reliable for the transportation of iron, coal, &c., for a large portion of the year; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the sum of eight thousand dollars is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be expended as hereinafter provided, in the removal of obstructions and improvement of the navigation of Green river, Nolin, and Bear creek, in the county of Edmonson, the improvements to be made upon Green river from the head of slack-water to the mouth of Nolin, and the improvements upon Nolin river from its mouth to what is now known as the Iron Furnace, and the improvements to be made upon Bear creek to be left to the discretion of the commissioners hereinafter named, the expenditures of which shall be superintended by commissioners to be named and on conditions hereinafter set forth.

§ 2. That T. B. McIntire, Frederick Merideth, and John Alford, are hereby appointed commissioners, whose duty it shall be to let out the work in three several contracts to the lowest responsible bidder or bidders—that is to say, that the work to be done upon the three several streams herein mentioned respectively, shall be the subject of, and embraced in, one contract only: *Provided further*, That the contractor for the improving of any one of said streams shall not be prohibited from contracting for the improving of all three of the streams as provided for under this act. That the parties contracting to do the work shall be required to give bond and security, payable to the Commonwealth of Kentucky, that the work shall be done in proper manner and in the time required by the contract; but the accepting of the work by the commissioners herein named shall release the contractors and his sureties upon his bond. But before the letting of contracts, it shall be the duty of the commissioners to give at least fifteen days' notice of the same, by posting written or printed notices upon the court-house door of Edmonson county, and five others of the most public places in said county; and that the letting of said contract shall be by sealed proposals for said work, which shall be opened and accepted or rejected at a time and place fixed by the commissioners.

§ 3. That all contracts letting out the work under this appropriation shall be executed in duplicate writings, and signed by at least two of the commissioners, and the party or parties so contracting; and it must be expressly stipulated that all work, when done, must be approved by the said commissioners in writing, and that the contractors shall be paid quarterly as the work is approved by said commissioners, by duplicate vouchers drawn on the Auditor of Public Accounts executed by two or more of the commissioners, which vouchers must give the name of the contractors, and indicate section and kind of work performed for which it is given in payment. It shall be the duty of the commissioners to forward the original of said vouchers to the Auditor of Public Accounts, who shall file the same in his office; and when the duplicate is presented to the said Auditor of Public Accounts, he shall draw his warrant on the Treasury in favor of the holder of said duplicate voucher for the amount of the same, and the Treasurer shall pay the same out of the fund appropriated by the first section of this act.



§ 4. It shall be the duty of the commissioners to visit the localities as the work is progressing, and especially to be present at the letting and closing of contracts; and in no case are they to pay for any portion of the work in advance. Their own per diem and expenses shall be payable quarterly, which payment shall be made by duplicate vouchers drawn upon the Auditor of Public Accounts as hereinbefore specified in case of contractors, which vouchers must designate each and every expense incurred and on what account.

§ 5. The pay of said commissioners shall be three dollars per day and all necessary expenses while on duty, and they are required to report to the next session of the General Assembly the progress of the work.

§ 6. That before the said commissioners shall enter upon the discharge of their duties, they shall execute bond, payable to the Commonwealth of Kentucky, with approved security, in the clerk's office of Edmonson county court, for the faithful discharge of their duties under this act; and they shall each take an oath before entering upon the discharge of their duties to honestly, faithfully, and impartially discharge the same.

§ 7. This act to take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	John Hyden,	E. W. Turner,
W. W. Culbertson,	D. H. Lindsay,	Thos. W. Varnon,
P. F. Edwards,	Sumner Marble,	W. L. Vories,
Joseph Gardner,	Joseph B. Read,	C. J. Walton,
Wm. Cassius Goodloe,	Robert Simmons,	George Wright—20.
R. G. Hays,	J. H. Stanley,	

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	J. R. Leslie,
James Blackburn,	Duncan Harding,	R. B. Lovel,
W. A. Cunningham,	B. W. S. Huffaker,	H. A. Tyler—11.
Andrew J. Ewing,	S. H. Jenkins,	

*Resolved*, That the title of said bill be as aforesaid.

A message was received from the House of Representatives, announcing that they had passed a bill, which originated in the Senate, entitled

An act to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court,

With an amendment thereto.

Mr. Tyler moved to suspend the rules in order to take up and consider said amendment.

Which motion was adopted.

Mr. Read moved to postpone the further consideration thereof until Thursday next, the 16th inst., at 11 o'clock, A. M.

Mr. Varnon then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Read and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	Sumner Marble,
Thos. J. Barker,	Joseph Gardner,	Robert Simmons,
Wm. J. Berry,	James B. Garnett,	J. H. Stanley,
James Blackburn,	Duncan Harding,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
Scott Brown,	J. R. Leslie,	Thos. W. Varnon,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,
W. W. Culbertson,	R. B. Lovel,	C. J. Walton,
W. A. Cunningham,	P. A. Lyon,	George Wright—27.

Those who voted in the negative, were—

H. F. Finley,	Joseph B. Read,	G. W. Swoope—4.
B. W. S. Huffaker,		

The question was then taken on postponing until Thursday next, the 16th inst., at 11 o'clock, A. M., and it was decided in the negative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Scott Brown,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
P. F. Edwards,	R. B. Lovel,	C. J. Walton—16.
H. F. Finley,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	Robert Simmons,
Wm. J. Berry,	James B. Garnett,	J. H. Stanley,
Robert A. Briggs,	Duncan Harding,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	Sumner Marble,	George Wright—18.

The question was then taken on the amendment proposed by the House of Representatives, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	R. B. Lovel,
Thos. J. Barker,	P. F. Edwards,	P. A. Lyon,
Wm. J. Berry,	Andrew J. Ewing,	Sumner Marble,
James Blackburn,	H. F. Finley,	Robert Simmons,
Robert A. Briggs,	Joseph Gardner,	G. W. Swoope,
Scott Brown,	James B. Garnett,	H. A. Tyler,
F. L. Cleveland,	Duncan Harding,	Thos. W. Varnon,
W. W. Culbertson,	John Hyden,	George Wright—24.

Those who voted in the negative, were—

Wm. Cassius Goodloe,	D. H. Lindsay,	E. W. Turner,
R. G. Hays,	Joseph B. Read,	W. L. Vories,
George B. Hodge,	J. H. Stanley,	C. J. Walton—10.
B. W. S. Huffaker,		

Mr. Garnett moved to reconsider the vote by which the Senate concurred in the adoption of said amendment.

Mr. Read demanded a call of the roll.

The roll was called, and the following Senators responded to the call of their names :

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
P. F. Edwards,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—36.

Mr. R. G. Hays moved that the Senate do now adjourn till three o'clock, P. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Read and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

H. F. Finley,	John Hyden,	Thos. W. Varnon,
R. G. Hays,	D. H. Lindsay,	George Wright—7.
B. W. S. Huffaker,		

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	Sumner Marble,
Thomas J. Barker,	Joseph Gardner,	Joseph B. Read,
Wm. J. Berry,	James B. Garnett,	Robert Simmons,

James Blackburn,	Wm. Cassius Goodloe,	J. H. Stanley,
Robert A. Briggs,	Duncan Harding,	G. W. Swoope,
Scott Brown,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton—28.
P. F. Edwards,		

Mr. R. G. Hays then moved that the Senate do now adjourn until 7 o'clock, P. M.

Pending the consideration of which motion, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had concurred in an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to amend section 52, article 2, chapter 39, of General Statutes.

An act concerning the Kentucky High School.

An act in aid of colored schools in Hart county.

An act to authorize the Carlisle and Jackstown Turnpike Road Company, upper route, in Nicholas, to dispose of its purchased road-bed and right of way.

An act to amend an act, entitled "An act to amend an act, approved February 18th, 1860, to empower the county court of Bath county to make subscription to the capital stock of turnpike road companies," approved February 5th, 1868.

An act to define and punish certain trespasses.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz :

1. An act prescribing the manner in which suits may be brought against the trustees of the Cincinnati Southern Railway and others by the stockholders of the Covington and Lexington Turnpike Road Company and others.

2. An act to amend the charter of the Bank of Woodford, approved March 3d, 1869.



3. An act in relation to the erection of a new jail in Owen county.

4. An act to amend an act, entitled "An act to incorporate the Louisville Bank of Commerce," approved March 6th, 1876.

5. An act for the benefit of Company "E," First Regiment Kentucky State Guards.

6. An act to incorporate the Beattyville and Miller's Creek Turnpike Road Company.

7. An act to incorporate the Bagdad Cemetery Company.

8. An act to make the provisions of an act, entitled "An act for the benefit of keepers of licensed stud-horses, jacks, and bulls," which became a law April 15th, 1873, without the Governor's approval, applicable to Logan county.

9. An act for the benefit of G. B. Dockery, of Butler county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Appropriations; the 2d and 4th to the Committee on Banks and Insurance; the 3d and 7th to the Committee on Religion and Morals; the 5th to the Committee on Military Affairs; the 6th to the Committee on Internal Improvement; the 8th to the Committee on General Statutes and Codes of Practice, and the 9th to the Committee on Claims.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Garnett, from the Committee on the Judiciary—

An act to amend the charter of the town of Prestonville.

By Mr. Barker, from the Committee on Internal Improvement—

An act to incorporate the Turnersville and Vandiver's Turnpike Road Company, in Lincoln county.

By Mr. Berry, from the Committee on Religion and Morals—

An act to incorporate Fleming Lodge, No. 30, Independent Order of Odd Fellows, Fleming county.

By Mr. Wright, from the Committee on Finance—

An act for the benefit of J. W. Crane and others, of Fleming county.

By Mr. Barker, from the Committee on the Judiciary—

An act for the benefit of James Logan, of Marion county.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Lindsay, from the Committee on Education, reported

A bill to amend chapter 18 of the General Statutes, title "Common Schools."

Which bill was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be printed and placed in the orders of the day.

Mr. Turner, from the Committee on General Statutes and Codes of Practice, reported

A bill to amend the charter of the Louisville, Harrod's Creek, and Westport Railway Company.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the charter of the Louisville, Harrod's Creek, and Westport Railway Company be, and the same is hereby, so amended that it shall be lawful for said company to borrow money and secure the same by mortgage upon terms agreed on, or issue or sell mortgage bonds secured by mortgage, upon all or any designated portions of its line of railway, and its property and franchises thereto pertaining or belonging; and such mortgage and bonds, heretofore or hereafter executed and issued, shall be deemed legal and valid: *Provided*, That said bonds shall not bear interest at greater rate than ten per cent. per annum payable half yearly, nor run for more than (30) thirty years.

§ 2. That in order to raise a sinking fund with which to pay interest and principal of the precinct bonds issued by the county court of Jefferson county, for and on behalf of Harrod's Creek precinct, of Jefferson county, for and on account of subscription of capital stock made by said precinct in said company, it shall be the duty of the county court of Jefferson county, on the first Monday in February of each year, upon the request of the commissioners of the sinking fund for said precinct, or any two of them, to order the levy and collection of a poll-tax of one dollar upon each and every voter then resident in said precinct, which tax shall be collected by the sheriff of Jefferson county as other taxes are now collected and paid into the Treasury of said sinking fund by said sheriff at the same time and in the same way that other taxes are now required

to be paid by law ; and the sheriff and his sureties in his official bond shall be liable for said taxes as in case of other revenue collected by him ; and if the assessor of said county fails to report the name of any voter resident in said precinct on the first day of February of each year, then it shall be the duty of said sheriff to make out and report the names of all such voters so omitted to the clerk of the county court for said county, who shall enter the same upon the assessor's book, and certify the same to said sheriff for the collection of said poll-tax, and said sheriff shall collect said poll-tax from no person until the clerk of said court shall so certify.

§ 3. That if any corporation shall at any time own any real or personal property, situated within any precinct or county which has subscribed for stock in said railway company, liable to taxation for State or county revenue, it shall be the duty of the assessor of taxes for said county to assess said property for taxation, and report the same to the clerk of said county court with and at the same time he returns his tax lists ; and such property shall be liable to be assessed at the same rate as the property of private persons, and the taxes due therefrom shall be collected as other taxes are now collected by law for revenue purposes.

§ 4. It shall be the duty of the clerk of the county court, at the same time he is now required by law to deliver the tax list to the sheriff for the collection of State revenue, also to make out and certify to said sheriff a correct list of all persons and property in said precinct liable to taxation, and certify the same to the sheriff of said county, together with the rate of taxation which is fixed by the county court, and the sheriff shall receipt for the same, and be liable for the collection of the same, as in case of taxes for State revenue ; and it shall be the duty of said sheriff, during the month of December of each year, to settle his accounts with the county court on account of taxes collected or collectable under the charter and amendment of said railway company, in which settlements he shall be allowed credit by all amounts paid over to the commissioners of the sinking fund or their treasurer, and by the amount of such delinquent tax-payers as to whom he shall satisfy the court, by his affidavits, that the same could not have been collected by the use of proper diligence ; and in said settlement said sheriff shall be chargeable with all the taxes of which lists therefor have come to his hands ; said settlements shall, after being made, be filed in open court, and lay over for exceptions, of which the commissioners of said sinking fund or their treasurer shall have written notice ; and if, within twenty days after service of such notice, no exceptions thereto shall be filed by said commissioners or other tax-payers, then it shall be the duty of said court to enter on record an order approving said settlement, and a copy of said order shall serve as a quietus to said sheriff for said taxes ; but if any such exceptions shall be filed against said settlements, it shall be the duty of said court to hear and determine the same in a summary way, allowing each party time to procure evidence, which may be oral or by depositions, taken on notice, and in such contest it shall be the duty of the county attorney for the county to attend and prosecute said exceptions ; and said court shall have full power, by rule and attachment, to compel said sheriff and sureties to account for and pay over to said commissioners of the sinking fund all sums found or admitted to be due on account of said taxes, and to compel the settlement of his accounts as herein provided.

§ 5. That all property liable to taxation for State revenue purposes on and after February 18, 1873, within the limits of said Harrod's Creek precinct, bounded as described as of that date, shall be and remain liable

to taxation for the purposes aforesaid, so long as such taxation shall be necessary for the payment of principal and interest of said bonds; and no change of the boundary of said Harrod's Creek precinct, nor the creation of a new precinct, in whole or in part, within the limits of said precinct, as of the date aforesaid, shall affect or defeat the right to levy and collect the taxes aforesaid.

§ 6. If any president, director, or managing officer of any corporation shall fail or refuse, for the space of thirty days after the same are due, to pay any taxes collected under the charter of said railway company, as amended, then such officer shall be and become personally responsible for the amount of such taxes, with lawful interest from the time due, and twenty per cent. damages thereon, which may be recovered in any court of competent jurisdiction by the commissioners of the sinking fund, with all costs legal and extraordinary.

§ 7. This act to take effect from and after its passage.

Mr. R. G. Hays moved to amend said bill as follows, viz :

"Amend by providing that the right to levy and collect said taxes shall not apply to the Louisville Water Company's grounds or works, except as other lands adjacent thereto are taxed, the rate of assessment to take into consideration only such improvements as are used for dwelling purposes."

And the question being taken on the adoption of said amendment, it was decided in the negative.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	P. A. Lyon,
Thos. J. Barker,	Andrew J. Ewing,	Sumner Marble,
Wm. J. Berry,	Joseph Gardner,	G. W. Swoope,
James Blackburn,	Wm. Cassius Goodloe,	E. W. Turner,
Robert A. Briggs,	Duncan Harding,	Thos. W. Varnon,
Scott Brown,	George B. Hodge,	C. J. Walton,
F. L. Cleveland,	B. W. S. Huffaker,	George Wright—23.
W. W. Culbertson,	J. R. Leslie,	

Those who voted in the negative, were—

P. F. Edwards,	Joseph B. Read,	J. H. Stanley,
R. G. Hays,	Robert Simmons,	W. L. Vories—6.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Barker then moved to reconsider the vote by which the Senate had passed said bill.



Mr. Turner moved to lay that motion on the table.

Which motion was dopted.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill for the benefit of certain residents of the counties of Henderson and Union who are now destitute by reason of the destruction of their crops by flood and by fire and storm.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

WHEREAS, It is reliably represented to this General Assembly, that during the past summer large tracts of bottom lands in the counties of Henderson and Union were inundated by water for weeks at a time during the farming season, and that, by reason of the said inundation or overflow, the crops of the low lands of said counties bordering on large streams of water were totally destroyed ; and whereas, it is further represented that many persons whose only pursuit is tilling the soil, and most of whom were tenants and poor persons, were, in consequence of said overflow, prevented from raising anything whatever ; but yet have been called upon to pay rent and other dues, to settle which they were wholly reliant upon their crops thus destroyed ; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, authorized to draw his warrants upon the Treasury for various sums as hereinafter provided, not to exceed in total amount the sum of five thousand dollars, one half thereof to each county, nor more than thirty dollars for any one family ; said warrants to be drawn in favor of a committee of three persons from each of said counties, to be appointed by the county courts thereof, and so certified to the Auditor, the duty of said persons being, immediately upon the receipt of said funds, to properly and justly distribute the same under the restrictions and limitations herein provided.

§ 2. That the members of said committee, before proceeding to distribute said funds to the destitute sufferers of said counties of Henderson and Union, shall first be duly sworn, that they will, without fear, favor, or affection, justly distribute said funds under and according to the provisions of this act ; but, before any of the above mentioned sum of money is distributed, such persons as are destitute shall appear in the Henderson or Union county court and make proof of their condition ; and if the court before which such destitute person or persons appear is of opinion that he, she, or they are justly deserving of the benefit of this act, said court shall thereupon give such person a certificate of that fact, with the number of persons in his or her family, whereupon said commissioners hereinbefore determined upon shall pay to said person or persons whatever amount they may deem them entitled to, not exceeding the restrictions mentioned in the first section of this act.

§ 3 That neither said court, nor any officer thereof, nor either of said commissioners, shall receive any compensation for any services they may perform under the provisions of this act.

§ 4. That one thousand dollars of said sum shall be appropriated by said commissioners to the sufferers from the fire in Caseyville, on the 20th day of February, 1876; said one thousand dollars shall be distributed by the justices of the peace of the Caseyville precinct according to their discretion, due regard being had to the condition of the sufferers respectively.

§ 5. That of the sum of twenty-five hundred dollars appropriated to Henderson county, eight hundred dollars shall be distributed to the unfortunate sufferers from the tornado that swept over a portion of that county on the 27th day of February, 1876.

§ 6. That all the beneficiaries of the bounty granted in this shall be exempted from paying any State tax for the year 1876.

§ 7. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Joseph B. Read,
Robert A. Briggs,	Wm. Cassius Goodloe,	Robert Simmons,
F. L. Cleveland,	Duncan Harding,	J. H. Stanley,
W. W. Culbertson,	J. R. Leslie,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
P. F. Edwards,	Sumner Marble,	C. J. Walton—18.

Those who voted in the negative were—

Thos. J. Barker,	R. G. Hays,	H. A. Tyler,
James Blackburn,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	George Wright—11.
James B. Garnett,	E. W. Turner,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Wright moved to reconsider the vote by which the Senate had passed a bill, entitled

An act to regulate the jurisdiction and trial of criminal and penal cases in Warren county.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Wright then moved to amend said bill.

Pending the consideration of which amendment, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned.

WEDNESDAY, MARCH 15, 1876.

A message was received from the House of Representatives, announcing that they had concurred in an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to incorporate the Springfield and Bradfordsville Turnpike Road Company.

That they had disagreed to a bill which originated in the Senate, entitled

An act for the benefit of D. N. Waldon.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Oakland Cemetery, in Gallatin county.

An act for the benefit of A. H. Morgan, sheriff of Boyd county.

An act to incorporate Melton Park, Kenton county.

An act to incorporate the Licking Bridge and Junction Turnpike Company.

An act to amend an act, entitled "An act to authorize the voters of the city of Mayfield to vote upon the proposition as to whether spirituous, malt, or vinous liquors shall be sold within the corporate limits of said city, or within one mile thereof," approved December 15th, 1873.

An act to charter the Plum Branch and Bald Knob Turnpike Road Company.

An act conferring jurisdiction upon the Henderson city court to try prosecutions for carrying concealed deadly weapons.

An act for the benefit of J. M. Hester, of Graves county.

An act incorporating the Marion Bank, in Crittenden county.

An act for the benefit of Colston Crabtree, of Daviess county.

An act to incorporate the Campbell and Kenton Fair Company.

An act to incorporate the Central Coal and Iron Company.

An act to amend the Bank Lick Turnpike Road Company.

An act for the benefit of John B. Richardson, of Lexington.

An act to incorporate the Clinton Baptist Female College.

An act to amend and reduce into one the several acts in reference to the town of Marion.

An act in aid of common schools of Calloway county.

An act for the benefit of W. G. McGill, late deputy sheriff of Breckinridge county.

An act regulating the holding of circuit and criminal courts in the sixteenth judicial district.

With an amendment to the last named bill.

That they had passed bills and adopted a resolution of the following titles, viz :

1. An act for the relief of Joel C. Sparks.
2. An act for the benefit of John T. Laws, of the city of Louisville.
3. An act concerning the road laws of Daviess county.
4. An act to provide for draining and ditching in Daviess county.
5. An act for the benefit of W. F. Fluty, of Estill county, committee for Walker Durbin, a pauper idiot.
6. An act for the benefit of Lee county.
7. An act to incorporate the Farmers' Home Journal Company, of Louisville.
8. An act to incorporate the Elizaville Cemetery Company, Fleming county.
9. An act for the benefit of school district No. 41, Fleming county.
10. An act to repeal a part of an act to amend an act, entitled "An act to incorporate the Danville Gas-light Company," approved February 7th, 1874.
11. An act for the benefit of W. H. Fitzpatrick, sheriff of Floyd county in 1874.
12. An act for the benefit of James A. Ward, of Johnson county.
13. An act to repeal an act in regard to turnpike roads in Garrard county in which said county owns stock.
14. An act exempting the citizens of Bryantsville, in Garrard county, from working on any road outside of said town.
15. An act for the benefit of W. M. Kirby, sheriff of Garrard county.
16. An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, in Campbell county."
17. An act for the benefit of G. P. Rose and J. L. McCarty, late sheriffs of Whitley county.
18. An act to legalize the acts of R. R. H. Gillock as clerk of Barren county court.



19. An act to change the time of holding courts of Pulaski county, in the 8th judicial district.

20. Resolution providing an extension of the present session.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, and 5th to the Committee on Claims; the 3d, 4th, and 13th to the Committee on Internal Improvement; the 6th and 18th to the Committee on Courts of Justice; the 7th and 9th to the Committee on Education; the 8th to the Committee on Religion and Morals; the 10th and 14th to the Committee on Privileges and Elections; the 11th, 12th, 15th, and 17th to the Committee on Finance, and the 16th to the Committee on the Judiciary; the 20th, the resolution, was placed in the orders of the day, and the 19th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Leave was given to bring in the following bill, viz :

On motion of Mr. Wright—

A bill to fix the time of the meeting of the General Assembly.

*Ordered*, That the Committee on Agriculture and Manufacture prepare and bring in the same.

The following petitions were presented, viz :

By Mr. Gardner—

1. Petition of Andrew Howard, allowing him to erect a mill-dam across Lick creek, in Magoffin county.

By same—

2. Petition of C. C. Hanks, sheriff of Wolfe county.

By Mr. Varnon—

3. Petition of sundry citizens of Lincoln county, praying the repeal of a law approved March 5th, 1874, creating a court of common pleas in Lincoln and other counties.

Which petitions were received, the reading dispensed with, and referred—the 1st to the Committee on Propositions and Grievances; the 2d to the Committee on Finance, and the 3d to the Committee on Courts of Justice.

Mr. Barker, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the Louisville Water-works,

Reported the same with an amendment.

Which was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Tyler, from the Committee on the Judiciary—

An act to amend chapter 76, General Statutes, title " Militia."

By Mr. Goodloe, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to incorporate the Catholic Cemetery, of Lexington."

By same—

An act supplementary to the act to adopt the General Statutes.

By same—

An act to repeal an act, entitled "An act to establish and incorporate the town of Stroud City, in Muhlenburg county," approved March 19th, 1873.

By same—

An act to authorize the city council of Frankfort to build a free bridge across the Kentucky river.

By Mr. Cleveland, from the Committee on Appropriations—

An act prescribing the manner in which suits may be brought against the trustees of the Cincinnati Southern Railway and others by the stockholders of the Covington and Lexington Turnpike Road Company and others.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Goodloe, from the Committee on the Judiciary—

A bill authorizing owners of land to maintain action of trespass though not in actual possession.

By same—

A bill to provide for the payment of expenses incurred in the investigation of charges preferred against Senator Geo. B. Hodge.

By same—

A bill to incorporate Cox Lodge, No. 464, of Free and Accepted Masons.

By same—

A bill to amend section 1, article 14, of chapter 38, of the General Statutes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had concurred in an amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act for the benefit of the Louisville Water-works.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act for the benefit of M. B. Cox, late sheriff of Morgan county, and his sureties;

An act for the benefit of W. B. Roe's heirs and others, in Rowan county;

An act to incorporate the district of Cold Spring, in Campbell county;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road, in Rockcastle county;"

An act empowering the board of trustees of the town of Catlettsburg, in Boyd county, to sell and convey lot No. 37, in said town;

An act to amend and explain an act, entitled "An act to incorporate the Green and Barren River Navigation Company," approved March 9, 1868;

An act for the benefit of the sureties of J. B. Brassfield;

An act to amend an act, entitled "An act to incorporate the Silver Spar and Mining Company;"

An act to amend section sixteen, article thirteen, chapter thirty-eight, of the General Statutes;

An act to legalize the issue of certain bonds issued by the commissioners of a portion of the Jamestown magisterial district, in Campbell county;

An act to incorporate the New Castle, Pleasureville, and Sweet Home Turnpike Road Company, in Henry county;

An act giving the consent of the Legislature of this State to the purchase or condemnation by the United States Government of land within the State for public purposes;

An act to change the terms of circuit courts in the counties of Boone and Franklin;

An act to repeal an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district;"

An act to provide for the ventilation of the cells in the cell-house of the Penitentiary;

Resolution providing for the removal of the remains of Jacob Lamb, a soldier of the wars of the Revolution and of 1812, to the State Cemetery at Frankfort;

Resolution appropriating twenty-five dollars to Miss Mary O. Murray;

An act to authorize sale of muzzle-loading guns in State Arsenal;

Enrolled bills which originated in the House of Representatives, of the following titles, viz:

An act to incorporate the Greenup and Riverton Building and Loan Association;

An act to amend the charter of the city of Louisville;

An act to establish a graded school in the town of Butler, Pendleton county;

An act regulating the ferry in Livingston county, opposite Golconda, in Illinois;



An act to regulate the sale of vinous, spirituous, and malt liquors in the town of Madisonville, Hopkins county;

An act for the benefit of W. O. Newman, Metcalfe county;

An act for the benefit of J. F. Rennick, late sheriff of Hickman county;

An act to incorporate the Gardnersville and Crittenden Turnpike Road Company, in Grant county;

An act to authorize the county court of McCracken county to take stock in the Paducah, Benton, and Murray Gravel Road Company;

An act to incorporate the Bricklayers' Union, No. 4, of Louisville, Kentucky;

An act to amend chapter 42, title "Ferries," General Statutes;

An act for the benefit of the Institution for the Education of Feeble-minded Children;

An act to repeal section three of an act approved March 14, 1872, entitled "An act to amend the charter of Bryantsville," and further amend an act approved February 14, 1871;

An act for the benefit of the Louisville Water-works;

An act for the benefit of Merrill Hardin, of Garrard county;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

A message in writing was received from the Governor by Mr. Bronston, Assistant Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, March 14th, 1876. }

*Gentlemen of the Senate :*

I nominate for the advice of the Senate the following named persons for appointment as notaries public, to hold their respective office for the term prescribed by law, and in the limits herein designated :

N. P. Cochran, Fayette county.

R. S. Moxley, Jefferson county.

J. F. Green, Floyd county.

Thomas J. Tapp, Jefferson county.

W. T. Havens, Morgan, Magoffin, Wolfe, Menifee, Rowan, Breathitt, and Elliott counties.

George C. Slaughter, Jefferson county.  
 John L. Powell, Mercer county.  
 Francis J. Grenle, Campbell county.  
 William D. Brent, Kenton county.  
 G. B. Durant, Harrison county.  
 Samuel P. Hager, Johnson county.  
 John R. M. Polk, Jefferson county.  
 E. Arnold, Owen county.  
 Junius Caldwell, Jefferson county.  
 J. Speed Peay, Jefferson county.  
 Temple Bodley, Jefferson county.  
 R. T. Thornton, Campbell county.  
 Frank Wakefield, Nelson county.  
 B. D. Smalley, Campbell county.  
 A. R. Brothers, Campbell county.  
 C. S. Muillon, Jefferson county.  
 L. Royalty, Fayette county.  
 W. W. Shelby, Henderson county.  
 John T. Malone, Jefferson county.  
 John T. Basham, Trimble county.  
 Homer Abbott, Trimble county.  
 Louis Zapp, Jefferson county.  
 Thompson A. Lyon, Jefferson county.  
 C. F. Carr, Fayette county.  
 Thomas J. Mathen, Jefferson, Shelby, Spencer, Hardin, Bullitt, Nelson,  
 Oldham, and Washington counties.  
 James M. Posey, Anderson county.  
 Benjamin G. Bruce, Fayette county.  
 Daniel Runyon, Fayette county.  
 D. G. Falconer, Fayette county.  
 James H. Hatcher, Floyd county.  
 R. A. Athey, Kenton county.  
 E. Arnold, Owen county.  
 A. R. Clark, Pendleton, Kenton, Campbell, Bracken, Harrison, and  
 Franklin counties.  
 Anton Kutzleb, Jefferson county.  
 R. E. Green, Muhlenburg county.  
 H. R. Chittenden, Madison county.  
 Fred. Wise, Kenton county.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

A message was also received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend and reduce into one the several acts in relation to the town of New Castle, Henry county.

An act to incorporate the Bank of Cynthiana.

An act to incorporate the Henderson Female College, of Henderson.

An act incorporating the town of Rocky Hill, Edmonson county.

An act to amend the charter of the city of Newport.

An act for the benefit of the Carlisle and Jackstown Turnpike Road Company, upper route.

An act for the benefit of B. D. Bailey, of Webster county.

An act to amend chapter 60 of the General Statutes, title "Interest and Usury."

An act declaring the Cumberland river and tributaries above the falls navigable streams.

An act regulating tax on circuses, menageries, theatres, &c., in Kentucky.

An act for the benefit of the sheriff of Calloway county.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to regulate the civil jurisdiction of justices of the peace, police judges, and quarterly courts, and the appellate jurisdiction of circuit courts from judgments of said courts, and to authorize the the quarterly courts to appoint clerks.

Reported the same without amendment.

Said bill was then amended.

Mr. Finley moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took upon for consideration

A bill to regulate the jurisdiction and trial of criminal and penal cases in Warren county.

W<sup>r</sup>. Wright proposed an amendment to said bill.

Which was adopted.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Cunningham, from the Committee on the Judiciary, to whom was referred bills from the House of Representatives of the following titles, viz :

An act to repeal a part of section two of an act, entitled "An act to incorporate the Licking River Lumber and Mining Company," approved January 25th, 1868;

An act to prevent the floating of logs, rafts, wood, and other lumber loose down Licking river;

Reported the same with the expression of opinion that said bills ought not to pass.

*Ordered*, That said bills be placed in the orders of the day.

Mr. Goodloe, from the Committee on the Judiciary, to whom was referred leave to bring in bills of the following titles, viz :

An act to allow persons charged with crime to testify in certain cases;

An act for the benefit of Wm. S. Pearce, clerk of the Meniffee circuit court;

Asked to be discharged from the further consideration of said leaves.

Which was granted.

Mr. Goodloe, from the Committee on the Judiciary, reported

A bill concerning the Codes of Practice.

Which was read the first time and ordered to be read a second time.

Said bill was read a second time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That Joshua F. Bullitt, of Jefferson county, and John Feland, of Christian county, are hereby appointed commissioners to edit the Civil Code of Practice, and H. Marshall Buford, of Fayette county, is appointed commissioner to edit the Criminal Code of Practice, adopted during the present session of the General Assembly. If either of them refuse or fail to serve, the Governor shall appoint another in his stead. Each of said commissioners shall receive ten dollars for each day in which he may be actually and necessarily employed, and upon his certificate the Auditor of Public Accounts shall draw his warrant upon the Treasury for such compensation.

§ 2. Each of said Codes shall contain a statement of the proper title and chapter at the head of each page; head-notes in each chapter denoting the subject of each section thereof; a full index pointing to the provisions thereof; the number, in brackets, of corresponding sections of the Codes of 1854; and suitable practicable forms.

§ 3. In publishing said Codes the Governor and said commissioners shall require the paper to be of as good quality, and the type to be of as good character, as those used in the General Statutes; and shall require the binding to be of the best character of law binding.



§ 4. The certificates of said commissioners, severally, that they have compared said printed Codes, respectively, with, and have found them to be true copies of, the enrollments thereof, respectively, shall, with a printed volume thereof, be deposited in the office of the Secretary of State, who, if he find said certificates to be true, shall append to them, respectively, his certificate to that effect; and said certificate shall be conclusive proof of the verity of said printed volume. Each published volume of said Codes shall contain printed copies of said certificates, and they shall entitle it to be read in evidence.

§ 5. The Contractor for the Public Printing and Binding is directed to print and bind said Codes in one volume, with five thousand copies thereof, ready for distribution on the 15th of July, 1876, at the price of 66 $\frac{2}{3}$  cents per thousand oms for printing; and for binding each volume ten cents per hundred pages: *Provided*, That if the said Contractor shall not agree, within ten days after the passage of this act, to do said work, the Governor shall have it done by the lowest bidder, who shall give good sureties, to be approved by the Governor, for the performance of the contract.

§ 6. The Secretary of State shall forthwith, after the publication of said Codes, cause said Codes to be distributed as follows: To each member of the present General Assembly, to each judge and each clerk of a court, to each justice of the peace, to the Attorney General, to the Secretary of State of the United States, to the Executive of each State and Territory within the United States, one volume, and to the State Librarian, forty copies.

§ 7. The remaining copies of said Codes shall be retained by the Secretary of State to supply such deficiencies as may occur, or to be distributed as may hereafter be directed by law; but said Secretary may sell as many as two thousand copies of said Codes at ten per cent. advance upon the cost of the same. He shall not sell more than two copies to any person or firm, and he shall pay into the Treasury of the State all money which may arise from such sales.

§ 8. The said Codes shall not be construed as repealing any statute enacted at the present session of the General Assembly.

§ 9. The State Librarian shall procure and furnish all paper and stationery, except binding, which may be necessary for the editing and publishing of said Codes.

§ 10. No person shall copyright said Codes without the consent of the General Assembly.

§ 11. Said Codes shall not be published in the Session Acts.

§ 12. This act shall take effect from its passage.

Mr. Wright moved to amend said bill by striking out the words "sixty-six and two thirds" in the fifth section, and inserting in lieu thereof the word "fifty."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Huffaker, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Berry,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,

W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	John Hyden,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	W. L. Vories,
Joseph Gardner,	D. H. Lindsay,	C. J. Walton,
James B. Garnett,	P. A. Lyon,	George Wright—21.

Those who voted in the negative, were—

Thos. J. Barker,	W. A. Cunningham,	J. H. Stanley,
James Blackburn,	Wm. Cassius Goodloe,	E. W. Turner,
Scott Brown,	R. B. Lovel,	Thos. W. Varnon—10.
F. L. Cleveland,		

Mr. Finley moved to amend said bill by adding after the word Attorney General, in the sixth section thereof, the following, viz: "Each Commonwealth's Attorney, each officer of the present General Assembly, each police or city judge, each county attorney, each master commissioner of this Commonwealth,"

Which was adopted.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—28.
Joseph Gardner,		

Those who voted in the negative, were—

Andrew J. Ewing,	R. B. Lovel,	G. W. Swoope—3.
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*Resolved*, That the title of said bill be as aforesaid.

Mr. Goodloe, from the Committee on the Judiciary, to whom was recommitted

A bill to amend chapter twenty-nine, article eleven, section one, of the General Statutes,

Reported the same without amendment.

*Ordered*, That said bill be placed in the orders of the day.

Mr. Swoope moved to suspend the rules in order to take up the resolution reported from the House of Representatives in relation to final adjournment.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
Scott Brown,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	J. R. Leslie,	G. W. Swoope,
Andrew J. Ewing,	D. H. Lindsay,	E. W. Turner,
Joseph Gardner,	R. B. Lovel,	W. L. Vories—15.

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	J. H. Stanley,
Thos. J. Barker,	Wm. Cassius Goodloe,	H. A. Tyler,
James Blackburn,	B. W. S. Huffaker,	Thos. W. Varnon,
Robert A. Briggs,	John Hyden,	C. J. Walton,
W. W. Culbertson,	Sumner Marble,	George Wright—17.
W. A. Cunningham,	Joseph B. Read,	

A message was received from the House of Representatives, announcing that they had concurred in the first and second amendments, and had refused to concur in the third amendment, proposed by the Senate to a bill from the House of Representatives, entitled

An act to regulate the civil jurisdiction of justices of the peace, police judges, and quarterly courts, and the appellate jurisdiction of circuit courts from the judgment of said courts, and to authorize the quarterly courts to appoint clerks.

The Senate resumed the consideration of

A bill to amend article eleven, chapter twenty-nine, of General Statutes.

Said bill reads as follows, viz :

[*For bill, see Senate Journal March 13th, 1876.*]

The question pending being upon the amendment proposed by Mr. Walton to the amendment proposed by Mr. Finley,

Mr. Cleveland moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Walton to the amendment proposed by the Mr. Finley, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Joseph Gardner,	Joseph B. Read,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—8.
H. F. Finley,	Sumner Marble,	

Those who voted in the negative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Robert Simmons,
Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	G. W. Swoope,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. W. Culbertson,	D. H. Lindsay,	Thos. W. Varnon,
W. A. Cunningham,	P. A. Lyon,	George Wright—22.
James B. Garnett,		

The question was then taken on the amendment proposed by Mr. Finley, and it was decided in the negative.

*Ordered*, That said bill be read a third time.

Said bill was read a third time.

Mr. Goodloe moved to suspend the rule of the Senate in order to put said bill upon its passage.

And the question being taken on the adoption of said motion, it was decided in the negative—not having received the required four-fifths majority.

The yeas and nays being required thereon by Messrs. Finley and Walton were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	R. G. Hays,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	George Wright—25.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

W. W. Culbertson,	Joseph Gardner,	Sumner Marble,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—7.
H. F. Finley,		



Mr. Goodloe then moved that said bill be made the special order of the day for to-morrow, at twenty-five minutes before ten o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	George Wright—19.
James B. Garnett,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	Joseph B. Read,
Thomas J. Barker,	R. G. Hays,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—14.
H. F. Finley,	Sumner Marble,	

The Senate took up for consideration the motion heretofore made to table the motion by which the Senate had concurred in the adoption of the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	Sumner Marble,
Wm. J. Berry,	Andrew J. Ewing,	Robert Simmons,
James Blackburn,	Joseph Gardner,	J. H. Stanley,
Robert A. Briggs,	James B. Garnett,	H. A. Tyler,
Scott Brown,	Duncan Harding,	George Wright—16.
F. L. Cleveland,		

Those who voted in the negative, were—

Thos. J. Barker,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Wm. Cassius Goodloe,	R. B. Lovel,	W. L. Vories,
R. G. Hays,	P. A. Lyon,	C. J. Walton—17.
George B. Hodge,	Joseph B. Read,	

The question was then taken on reconsidering the vote by which the Senate had concurred in the adoption of the amendment proposed by the House of Representatives to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	B. W. S. Huffaker,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
H. F. Finley,	J. R. Leslie,	G. W. Swoope,
Wm. Cassius Goodloe,	D. H. Lindsay,	E. W. Turner,
R. G. Hays,	R. B. Lovel,	W. L. Vories,
George B. Hodge,	P. A. Lyon,	C. J. Walton—18.

Those who voted in the negative, were—

Pollock Barbour,	F. L. Cleveland,	Duncan Harding,
Wm. J. Berry,	W. A. Cunningham,	Sumner Marble,
James Blackburn,	Andrew J. Ewing,	Robert Simmons,
Robert A. Briggs,	Joseph Gardner,	H. A. Tyler,
Scott Brown,	James B. Garnett,	Thos. W. Varnon—15.

Mr. Read moved to postpone the further consideration of said bill and proposed amendment until Friday next.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	George B. Hodge,	P. A. Lyon,
James Blackburn,	B. W. S. Huffaker,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
H. F. Finley,	J. R. Leslie,	W. L. Vories,
Wm. Cassius Goodloe,	R. B. Lovel,	C. J. Walton—16.
R. G. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	Robert Simmons,
Wm. J. Berry,	Joseph Gardner,	J. H. Stanley,
Robert A. Briggs,	James B. Garnett,	H. A. Tyler,
Scott Brown,	Duncan Harding,	Thos. W. Varnon,
F. L. Cleveland,	D. H. Lindsay,	George Wright—17.
W. A. Cunningham,	Sumner Marble,	

Mr. Tyler then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Barbour, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	Robert Simmons,
Wm. J. Berry,	Andrew J. Ewing,	H. A. Tyler,
James Blackburn,	Joseph Gardner,	Thos. W. Varnon,
Robert A. Briggs,	Duncan Harding,	C. J. Walton,
Scott Brown,	D. H. Lindsay,	George Wright—16.
F. L. Cleveland,		

Those who voted in the negative, were—

Thos. J. Barker,	B. W. S. Huffaker,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
H. F. Finley,	J. R. Leslie,	G. W. Swoope,
Wm. Cassius Goodloe,	R. B. Lovel,	E. W. Turner,
R. G. Hays,	P. A. Lyon,	W. L. Vories—17.
George B. Hodge,	Sumner Marble,	

The question was then taken on concurring in the adoption of the amendment proposed by the House of Representatives to said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Scott Brown,	James B. Garnett,
Wm. J. Berry,	F. L. Cleveland,	Sumner Marble,
James Blackburn,	Andrew J. Ewing,	H. A. Tyler,
Robert A. Briggs,	Joseph Gardner,	George Wright—12.

Those who voted in the negative, were

Thos. J. Barker,	B. W. S. Huffaker,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	J. R. Leslie,	E. W. Turner,
H. F. Finley,	R. B. Lovel,	Thos. W. Varnon,
Wm. Cassius Goodloe,	P. A. Lyon,	W. L. Vories,
R. G. Hays,	Joseph B. Read,	C. J. Walton—20.
George B. Hodge,	Robert Simmons,	

Mr. Swoope then moved to reconsider the vote by which the Senate had refused to concur in the adoption of said amendment.

Mr. Cleveland moved to lay that motion on the table.

Which motion was adopted.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State,

Together with the amendment proposed by Mr. Turner as a substitute for said bill and the amendment proposed by Mr. Turner to said bill.

The question was first taken on the motion heretofore made by Mr. Swoope to commit said bill and pending amendments to a select committee of five, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

J. R. Leslie,                      G. W. Swoope,                      E. W. Turner—3.

Those who voted in the negative were—

Pollock Barbour,	H. F. Finley,	P. A. Lyon,
Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
Wm. J. Berry,	James B. Garnett,	Robert Simmons,
James Blackburn,	Wm. Cassius Goodloe,	J. H. Stanley,
Robert A. Briggs,	Duncan Harding,	H. A. Tyler,
Scott Brown,	George B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	B. W. S. Huffaker,	W. L. Vories,
W. W. Culbertson,	D. H. Lindsay,	C. J. Walton,
W. A. Cunningham,	R. B. Lovel,	George Wright—28.
Andrew J. Ewing,		

The question was then taken on the first amendment proposed by Mr. Turner to said bill, which reads as follows, viz :

Amend sub-section four of section eight by inserting after the word "asylum" the following words, viz : "including accounts of all receipts and expenditures."

And it was decided in the negative.

The question was then taken on the second amendment proposed by Mr. Turner to said bill, which reads as follows, viz :

Amend section nine, line one, by striking out the word "amount," and inserting in lieu thereof the word "account."

And the question being taken on the adoption of said amendment, it was decided in the negative.

Mr. Vories proposed sundry amendments to said bill.

Mr. Tyler then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the first amendment proposed by Mr. Vories to said bill.

Pending the consideration of which question, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had receded from their amendment to a bill which originated in the Senate, entitled



An act to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court.

That they had passed a bill, which originated in the Senate, of the following title, viz :

An act to regulate the sale of spirituous liquors in the town of Watkinsville, or within two miles thereof.

That they had passed bills of the following titles, viz :

1. An act legalizing certain sales made under the decrees of Pike circuit court.

2. An act to amend an act, entitled "An act to incorporate the State Bank in Louisville," approved 6th March, 1876.

3. An act for the benefit of the Maxville and Perryville Turnpike Road.

4. An act to amend an act, entitled "An act to establish a criminal court in the 6th judicial district and Hardin county," approved 23d February, 1876, and to add Taylor county to said criminal and judicial district.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st and 4th to the Committee on Courts of Justice; the 2d to the Committee on Banks and Insurance, and the 3d to the Committee on Internal Improvement.

Bills from the House of Representatives, of the following titles were reported from the several committees to whom they had been-referred, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

An act authorizing the county court of Jefferson to pay the police of Beargrass municipality for their services.

By Mr. R. G. Hays, from the Committee on Finance—

An act to amend an act to regulate the sale of medicines and poisons, approved February 21st, 1874.

By Mr. Lovel, from the Committee on Propositions and Grievances—

An act to attach the farms and possessions of Jesse H. and Robert Baker, of Metcalfe county, to Cumberland county.

By Mr. Simmons, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, in Campbell county."

By Mr. Marble, from the Committee on Banks and Insurance—

An act to incorporate the Greensburg Deposit Bank.

By Mr. Brown, from the Committee on Internal Improvement—

An act to incorporate the Caverna and Bearwallow Turnpike Road Company, in Hart and Barren counties.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of J. E. Vickery, late sheriff of Wayne county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act for the benefit of J. N. Shepperd, clerk of the Wayne circuit court.

With an amendment to the last named bill.

Which was adopted.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

A bill for the benefit of the North Middletown and Thatcher's Mill Turnpike Road Company.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to amend article sixteen, chapter ninety-two, of the General Statutes.

By Mr. Hodge, from the Committee on Railroads—

A bill to amend the charter of the Louisville and Nashville Railroad.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Leslie, from the Committee on Printing, to whom was referred a bill from the House of Representatives, entitled

An act to amend chapter 90 of the General Statutes, title "Public Printing and Binding,"

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, A Public Printer shall be elected by a joint ballot or vote of the two Houses of the General Assembly, at its present session, and biennially thereafter, who shall continue in office two years from and after the first Monday in August next succeeding his election ; and if, from any cause, a vacancy shall occur in the office in the recess of the General Assembly, it shall be the duty of the Governor to appoint some proper person to discharge its duties for the remainder of the term.

§ 2. Before entering upon the duties of his office, the Public Printer shall execute a covenant with two or more sureties, to be approved by the Governor, conditioned for the faithful execution of the public printing and binding, and the preservation and return of any material furnished him ; and he shall moreover take the oaths prescribed by the Constitution. The covenant and a certificate, showing that said oath has been taken, shall be deposited in the office of the Auditor of Public Accounts for safe-keeping.

§ 3. The Public Printer shall keep his office and execute his work at the seat of government ; and shall publish a newspaper of not less than weekly issue.

§ 4. He shall insert the words "Public Property" in and upon all books printed and bound for the State.

§ 5. He shall do all the public printing, including stereotyping, lithographing, and engraving, and all the public binding required by either House of the General Assembly, by the heads of the several departments and bureaux of the State Government, or by law, for which payment is to be made out of the public Treasury.

§ 6. He shall also insert, in a prominent place in his newspaper, for the period ordered, the Governor's proclamations, the general election returns, advertisements for the sale of non-residents' lands, and such other advertisements as the several departments of the State Government are required to publish in a public journal or journals, for which advertising he shall receive payment at a rate not greater than the published rates of said paper as charged other advertisers.

§ 7. He shall receive for the public printing done by him the same compensation as is prescribed by the several laws in force at the time of the enactment of the General Statutes, approved April 23, 1873 ; and payments shall be made to him upon the verification of his accounts in the manner prescribed in said laws. For the public binding executed by him, he shall receive the same compensation as was prescribed by law prior to the passage of the act, entitled "An act to authorize the Auditor of Public Accounts to contract with the Public Binder for the binding of the

public books," approved January 26, 1865, the same being at a rate of compensation thirty-three per cent. less than was then allowed by law.

§ 8. Sections one, two, three, four, five, six, seven, eight, nine, ten, and twelve of chapter ninety, General Statutes, title "Public Printing and Binding," are hereby repealed.

§ 9. Sections eleven, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen of said chapter are hereby amended by substituting the words "Public Printer" for the words "Contractor for the Public Printing and Binding," wherever the latter occurs, but otherwise to remain in full force.

§ 10. All acts or parts of acts in conflict herewith are hereby repealed.

§ 11. This act shall take effect from its passage.

The yeas and nays being required thereon by Messrs. Brown and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon—20.
James B. Garnett,	P. A. Lyon,	

Those who voted in the negative, were—

Wm. J. Berry,	Joseph Gardner,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	H. A. Tyler,
W. W. Culbertson,	B. W. S. Huffaker,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—13.
H. F. Finley,		

Mr. Swoope then moved to suspend the rule of the Senate in order to put said bill upon its passage, and it was decided in the negative, not having received the required four-fifths majority.

The yeas and nays being required thereon by Messrs. Brown and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner,
W. A. Cunningham,	P. A. Lyon,	Thos. W. Varnon—20.
James B. Garnett,	P. A. Lyon,	

Those who voted in the negative, were—

Wm. J. Berry,	Joseph Gardner,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	H. A. Tyler,
W. W. Culbertson,	B. W. S. Huffaker,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—12.

A message was received from the House of Representatives, asking



leave to withdraw the announcement of their disagreement to the passage of a bill which originated in the Senate, entitled

An act for the benefit of D. N. Walden.

Which was granted, and the bill delivered to the messenger.

Mr. Garnett was appointed a committee on part of the Senate, to act in conjunction with a similar committee on part of the House of Representatives, to withdraw unsigned from the hands of the Governor a bill which originated in the Senate, and had passed the two Houses, entitled

An act to incorporate the Calloway Agricultural and Mechanical Association.

After a short time, Mr. Garnett reported that the committee had performed the duty assigned them, and said bill was handed in at the Clerk's desk.

A message was received from the House of Representatives, asking leave to withdraw the announcement of their passage of a bill which originated in the Senate, entitled

An act to incorporate the Calloway Agricultural and Mechanical Association,

Which was granted, and the bill delivered to the messenger.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill, which originated in the Senate, entitled.

An act regulating the holding of circuit and criminal courts in the sixteenth judicial district.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Blackburn, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Wm. Thierman,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth Kentucky*, That the Auditor of this State be, and he is hereby, directed to issue his warrant on the Treasurer of this State in favor of Wm. Thierman for the sum of four hundred and fifty (\$450) dollars, in full payment

for use and occupation by the State Guard of the premises of Wm. Thierman, on the south side of Market street, between 16th and 17th streets, in Louisville, Ky., from December 1st, 1873, to September 1st, 1874.

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
Wm. J. Berry,	George B. Hodge,	J. H. Stanley,
James Blackburn,	John Hyden,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner,
W. W. Culbertson,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
Joseph Gardner,	Sumner Marble,	C. J. Walton—25.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
H. F. Finley,	J. R. Leslie,	George Wright—7.
James B. Garnett,		

*Resolved*, That the title of said bill be as aforesaid.

Mr. Wright, from the Committee on Finance, reported

A bill for the benefit of Theodosia Wells, a pauper idiot of Logan county.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sum of two hundred and seven dollars and fifty cents, in favor of T. J. Lyon, committee for Theodosia Wells, a pauper idiot, it being the amount said pauper idiot is entitled to by law from March 1st, 1873, to March 6th, 1876.

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories,
H. F. Finley,	R. B. Lovel,	C. J. Walton,
Joseph Gardner,	P. A. Lyon,	George Wright—33.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

By Mr. Wright, from the Committee on Agriculture and Manufactures, reported

A bill to protect sheep from depredations by dogs, and to authorize the county courts to impose taxes on dogs for county purposes.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

Said bill was then amended.

*Ordered*, That said bill, as amended, be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

And then the Senate adjourned.

## THURSDAY, MARCH 16, 1876.

A message was received from the House of Representatives, announcing that they had disagreed to a bill which originated in the Senate, entitled

An act for the benefit of Charles G. Wintersmith, of Hardin county.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act regulating the mode and manner in which claims against the county of Boyd shall be presented to the county court of Boyd county.

An act for the benefit of the North Middletown and Thatcher's Mill Turnpike Road Company.

An act to repeal chapter 65, General Statutes, and to re-establish the office of receiver for lands west of the Tennessee river.

An act to amend the charter of the city of Louisville.

An act to prevent the sale of spirituous or intoxicating liquors within one mile of the town of Williamsburg, in Whitley county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road."

An act to amend an act to establish and maintain a graded school in the town of Harrodsburg, Kentucky, approved March 15th, 1876.

An act to incorporate the Louisville Construction Company.

With an amendment to the last named bill.

That they had passed bills of the following titles, viz:

1. An act to change the name of the Falmouth Cemetery.
2. An act to amend an act, entitled "An act to incorporate the Christian Association of the Women of Louisville."
3. An act for the benefit of the Louisville Plate Glass Manufacturing Company.
4. An act for the benefit of Joseph Rutherford, late sheriff of Jessamine county.
5. An act to amend article twelve, chapter ninety-two, of the General Statutes.



6. An act to amend chapter one hundred, section forty, General Statutes.

7. An act to prescribe an oath to be taken by all officers elected or appointed.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st to the Committee on Appropriations; the 2d to the Committee on Religion and Morals; the 3d and 4th to the Committee on Finance; the 5th to the Committee on Railroads, and the 6th and 7th to the Committee on General Statutes and Codes of Practice.

The Senate took up for consideration a motion heretofore made to reconsider the vote by which they had rejected a bill, entitled

A bill to provide for the rebuilding the State bridge across Green river at Rio, Hart county.

Mr. Barker moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on reconsidering the vote by which the Senate had rejected said bill, and it was decided in the affirmative.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Leslie, from the Committee on Courts of Justice—

An act to legalize the acts of R. R. H. Gillock as clerk of Barren county court.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act for the benefit of the constable of the 3d district of Louisville.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Bank of Adairville, of Logan county.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

An act to amend section 2, article 1, chapter 55, General Statutes, applying to Gallatin county.

By Mr. Brown, from the Committee on Internal Improvement—

An act to repeal an act in regard to turnpike roads in Garrard county in which said county owns stock.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act regulating the manner of voting in Bourbon county on questions of tax for subscriptions to railroad companies.

By Mr. Goodloe, from the Committee on the Judiciary—

An act to regulate the release of liens.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Read, from the Committee on Education, reported

A bill to amend an act to establish and maintain a graded school in the town of Harrodsburg, Kentucky, approved March 18th, 1876.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Vories presented the memorial of the Commissioners of the First Kentucky Lunatic Asylum, asking the appointment of a committee on part of the General Assembly to investigate the affairs and management of said asylum.

Which was received, the reading dispensed with, and referred to the Committee on Charitable Institutions.

The Speaker laid before the Senate the following communication and petition, viz:

FRANKFORT, KY., March 15, 1876.

HON. JOHN C. UNDERWOOD, *Speaker of the Senate*:

I have the honor to inclose a petition to the two Houses of the General Assembly of the Commonwealth of Kentucky, and respectfully request that you will have it presented and read to the House over which you preside, and that such action be taken thereon as may be deemed for the best interests of the people of this State.

With great respect, your obedient servant,

GUSTAVUS W. SMITH.

FRANKFORT, KY., March 15, 1876.

*To the two Houses of the General Assembly of the Commonwealth of Kentucky:*

On the 31st of December, 1875, in an official report as Insurance Commissioner, I placed before the individual members of the Legislature a statement of the circumstances under which the Auditor tendered the appointment of Insurance Commissioner to Major Clinton McClarty. I have not, until now, felt called upon to take any further action in this matter. But the Auditor has to-day published a card, signed D. Howard Smith, commenting upon a letter which was published in the Louisville Daily Globe of the 13th inst. In this card he uses my name in such a manner as to make it incumbent upon me to bring to your notice certain facts in regard to some of his statements.

I have not the slightest idea who wrote the letter that the Auditor comments upon, or where the writer thereof procured the information, or for what reason the publication was made; but the card of the Auditor brings up questions to which I desire to call your attention.

He says he has no personal knowledge of the reason why Henry T. Stanton resigned his position as Deputy Insurance Commissioner. I reported to him the reason. I did this because he was, as Auditor, entitled to know the facts in reference to such a matter occurring in a branch of his office, and because it was upon the urgent recommendation and indorsement by the Auditor of H. T. Stanton, then an utter stranger to me, that he was appointed Deputy Commissioner. The substantial facts in reference to Stanton's leaving the office are of record in the Insurance Bureau, and these facts, as well as more full information from data made up at the time, have always been since then accessible to the Auditor.

It is a strange obliquity on the part of the principal financial officer of this State, that he can perceive in this transaction only a "misunderstanding between General Smith and Major Stanton," of which he (the Auditor) has "no personal knowledge," there being, as he says, no evidence in his department or in the Insurance Department of his office. The record is in the Insurance Bureau, which is the proper place for it.

The statement of the Auditor that Mr. Meriwether was retained in the Bureau after Mr. Leslie came back is true, but this was because Mr. Bullock resigned about the time Mr. Leslie returned. It was necessary then, in my opinion, to have three clerks in the Bureau besides the book-keeper—they were W. S. Smith, Bullock, and Leslie. Whilst Leslie was sick he was retained (I think properly) under pay, and Meriwether had to be employed as an extra clerk. When Leslie returned Bullock resigned, and Meriwether was continued. This made but three clerks under pay; whereas, whilst Leslie was sick, there were four. This is mentioned only to show that the Auditor is not always to be relied upon for accuracy when he is speaking of the Insurance Bureau.

The Auditor says the charge that he has issued, or authorized to be issued, any insurance license to any agent in violation of law, is a foul calumny. I am satisfied that an investigation will show that this assertion of his will have to be qualified somewhat. I have quite a distinct recollection that it was publicly charged some years since that I had, whilst Commissioner, certified that an unsound company, the St. Louis Mutual Life, had complied with the law, and on this certificate it was stated that licenses to do business had been issued to the detriment of the people of this State. I ordered an investigation, the result of which showed that the licenses had been issued from the Auditor's office, but that a certificate of compliance that year had not been given by the Commissioner. Whether the "Insurance Department" of the Auditor's office has been in the habit, to any great extent, of issuing licenses any year before the Insurance Commissioner's certificate is filed that the company has complied with the law and is entitled to do business in this State, can easily be determined by comparing the dates of the Commissioner's certificates, upon which alone licenses can be legally issued, with the dates of the licenses.

In the first and eighth subdivisions of his card the Auditor discusses the subject of his appointment of McClarty, and says that he only declined to reappoint me for reasons not necessary to mention, and in which the Legislature and the public have no concern.

The Auditor has given directly to me some of these reasons, and he has given others to the Deputy Commissioner, with the request that they be communicated to me.

In my official report it is stated that the Auditor told me that his friends had in the late canvass for nomination for Auditor at least partially committed him on this subject to Major Clinton McClarty, and that he would find definitely to what extent his friends had committed him. In the same interview he said Hewitt and McClarty, combined, might have beaten him for the nomination. In the messages he sent me by the Deputy Commissioner he complained that I had treated him as if he had nothing to do with the Bureau; that I never consulted him about my work; that, when the insurance men were dissatisfied with him about the assessments, he wrote me a letter, hoping for such a reply as would enable him to allay their discontent, and that I commenced talking about his fees; and that he did not intend to stand it any longer.

In a letter referred to, which is dated March 26, 1874, published in my official report, I stated that "the companies pay fees sufficient to defray the expenses of a tolerably well organized office; but the trouble is, that a large portion of these fees does not go to the credit of the Bureau fund." From the message sent to me by the Auditor, through the Deputy Com-



missioner, on the 22d December, 1875, I learned for the first time that he had ever been dissatisfied with any official act of mine; but it seems that the above allusion to his fees in March, 1874, gave him mortal offense; he determined to change the Commissioner; and he says that his friends made an arrangement by which he was committed to provide for McClarty; that he could not act dishonorably in the matter, and finally felt it to be his duty to appoint McClarty. This, too, when he knew that McClarty was ineligible under the law.

The Auditor should be required to show what made it his duty to appoint Major Clinton McClarty Insurance Commissioner of Kentucky. The Legislature and the public, he says, have no concern in his reasons for not reappointing me. In this he may find himself mistaken. This is not a personal government, in which those in authority are entitled, without question, to distribute as "playthings and perquisites" important offices that control interests involving thousands of millions of dollars.

It is time that the official acts of the Auditor be closely scrutinized by the representatives of the people.

I, therefore, as a citizen of this Commonwealth, respectfully request that a committee be appointed by the two Houses of the General Assembly to investigate and report upon the subjects referred to in this petition.

Very respectfully,

GUSTAVUS W. SMITH.

Mr. Cleveland read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That a committee of three be appointed by the Speaker of the Senate, to act with a similar committee on part of the House of Representatives, to take into consideration the communication and petition of G. W. Smith, and the subject-matter thereto pertaining, and that said communication be printed and referred to said select committee.

Mr. Garnett moved to postpone the said communication and petition indefinitely.

Mr. Wright moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Garnett to postpone indefinitely, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cleveland and Garnett, were as follows, viz:

Those who voted in the affirmative, were—

Robert A. Briggs,	Duncan Harding,	S. H. Jenkins,
Scott Brown,	R. G. Hays,	W. L. Vories,

Andrew J. Ewing, John Hyden, George Wright—10.  
James B. Garnett,

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	George B. Hodge,	Robert Simmons,
Wm. J. Berry,	B. W. S. Huffaker,	J. H. Stanley,
James Blackburn,	J. R. Leslie,	G. W. Swoope,
F. L. Cleveland,	D. H. Lindsay,	E. W. Turner,
W. W. Culbertson,	R. B. Lovel,	H. A. Tyler,
W. A. Cunningham,	P. A. Lyon,	Thos. W. Varnon,
H. F. Finley,	Sumner Marble,	C. J. Walton—24.

Mr. Cleveland then moved to suspend the rule of the Senate in order to take up the resolution proposed by himself.

And the question being taken on the adoption of said motion, it was decided in the negative—not having received the required two-thirds majority.

The yeas and nays being required thereon by Messrs. Briggs and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	George B. Hodge,	J. H. Stanley,
Wm. J. Berry,	B. W. S. Huffaker,	G. W. Swoope,
F. L. Cleveland,	R. B. Lovel,	E. W. Turner,
W. W. Culbertson,	P. A. Lyon,	H. A. Tyler,
W. A. Cunningham,	Sumner Marble,	Thos. W. Varnon,
H. F. Finley,	Joseph B. Read,	C. J. Walton—20.
Wm. Cassius Goodloe,	Robert Simmons,	

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	S. H. Jenkins,
James Blackburn,	Duncan Harding,	J. R. Leslie,
Robert A. Briggs,	R. G. Hays,	W. L. Vories,
Andrew J. Ewing,	John Hyden,	George Wright—12.

A message was received from the House of Representatives, asking the appointment of a committee on the part of the Senate, to act in conjunction with a similar committee on part of the House of Representatives, to withdraw unsigned from the hands of the Governor a bill which originated in the House of Representatives, and that had passed the two Houses, entitled

An act to amend the charter of the city of Louisville.

Which was granted, and Mr. R. G. Hays appointed said committee.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate of the following titles, viz :

An act to establish and maintain a graded free school in the town of Harrodsburg.

An act to incorporate the district of Cold Spring, in Campbell county.

An act to incorporate the New Castle, Pleasureville, and Sweet Home Turnpike Road Company, in Henry county.

An act to amend and explain an act, entitled "An act to incorporate the Green and Barren River Navigation Company," approved March 9, 1868.

An act empowering the board of trustees of the town of Catlettsburg, in Boyd county, to sell and convey lot No. 37, in said town.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road, in Rockcastle county."

An act to change the terms of circuit courts in the counties of Boone and Franklin.

An act to repeal an act, entitled "An act to regulate the time of holding the circuit courts in the second judicial district."

An act to authorize sale of muzzle-loading guns in State Arsenal.

An act giving the consent of the Legislature of this State to the purchase or condemnation by the United States Government of land within the State for public purposes.

An act to amend section sixteen, article thirteen, chapter thirty-eight, of the General Statutes.

An act to amend an act, entitled "An act to incorporate the Silver Spar and Mining Company."

An act to legalize the issue of certain bonds issued by the commissioners of a portion of the Jamestown magisterial district, in Campbell county.

An act to provide for the payment of expenses incurred by the Ohio county court in taking care of a pauper idiot.

An act for the benefit of W. B. Roe's heirs and others, in Rowan county.

Resolution appropriating twenty-five dollars to Miss Mary O. Murray.

Resolution providing for the removal of the remains of Jacob Lamb, a soldier of the wars of the Revolution and of 1812, to the State Cemetery at Frankfort.

An act to provide for the ventilation of the cells in the cell-house of the Penitentiary.

An act for the benefit of the sureties of J. B. Brassfield.

Mr. Blackburn was appointed a committee to ask leave to withdraw from the House of Representatives the announcement of their passage of a bill which originated in the House of Representatives, entitled

An act to amend chapter 76, General Statutes, title "Militia."

Which was granted, and said bill was handed in at the Clerk's desk.

Mr. Blackburn then moved to reconsider the vote by which the Senate had passed said bill.

Which motion was simply entered.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. Read, from the Committee on Education—

A bill to amend an act to establish and maintain a graded school in the town of Harrodsburg, Ky., approved March 18th, 1876.

By Mr. Goodloe, from the Committee on the Judiciary—

A bill to create certain liens on steamboats or other vessels or water crafts.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

The last named bill was amended. ..

*Ordered*, That said bills, the last as amended, be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Goodloe, from the Committee on the Judiciary, reported the following joint resolution, viz :

Your committee having had under consideration the bill providing for the purchase of a suitable number of copies of Stanton's Treatise for justices of the peace and other officers in Kentucky, to supply the magistrates of the State; and also the memorial of the Hon. Richard H. Stanton accompanying it, ask leave respectfully to report.

That, although the work is one which commends itself for its practical usefulness, and should be placed in the hands of every justice of the peace and other officer in the State whose duties are therein explained, your committee is not of the opinion that it is expedient for the State now to purchase and distribute any of the copies. Several of the county courts



have already purchased copies of the Treatise and supplied them to the justices of the peace, county judges, and sheriffs of their respective counties, who are to hold them as county property and turn them over to their successors in office.

This, your committee is of the opinion, is the proper mode of securing a distribution of this valuable work to the officers throughout the State for whom it was intended; and the counties may well afford to incur the small expense of procuring a work so necessary to the enlightened discharge of the duties of those entrusted with the administration of the laws therein.

The committee report the following resolution and recommend its adoption:

*Be it resolved by the General Assembly of the Commonwealth of Kentucky,* That the Treatise prepared by the Hon. Richard H. Stanton, upon the law relating to the powers and duties of justices of the peace and other officers in Kentucky, is a work of great accuracy and practical value in the administration of the laws by that class of officers for whom it was intended; and it is hereby recommended to such of the county courts of the State as have not already purchased and distributed the same to their county officers, that they make appropriations for and purchase a suitable number to supply the justices and other officers of their respective counties with a copy each of the said treatise, to be held as county property and delivered over at the expiration of their terms to their successors in office.

Said resolution lies on the table one day.

Mr. Goodloe, from the Committee on the Judiciary, to whom was referred a resolution from the House of Representatives, entitled

Resolution as to relations between the State of Kentucky and the Kentucky River Navigation Company,

Reported the same without amendment.

*Ordered,* That said resolution be placed in the orders of the day.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz:

An act in relation to an act to incorporate the Kentucky and Great Eastern Railway Company, approved March 22, 1870;

An act regulating practice in civil cases;

An act regulating practice in criminal cases;

An act to amend an act authorizing a portion of the Jamestown magisterial district, in Campbell county, to be taxed to purchase the Newport and Dayton Turnpike Road, and to bridge Taylor creek;

An act to incorporate the Princeton Bank;

An act to charter the Plum Branch and Bald Knob Turnpike Road Company;

An act conferring jurisdiction upon the Henderson city court to try prosecutions for carrying concealed deadly weapons;

An act incorporating the Marion Bank, in Crittenden county;

An act for the benefit of Colston Crabtree, of Daviess county;

An act to incorporate the Clinton Baptist Female College;

An act to incorporate the Bradford's Landing and Washington Trace Turnpike Road Company, in Bracken county;

An act to provide for the levy and collection of a tax on dogs, and protect the rights of the owners thereof in Fayette and other named counties;

An act for the benefit of W. G. McGill, late deputy sheriff of Breckinridge county;

An act for the benefit of the North Middletown and Thatcher's Mill Turnpike Road Company;

And enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act to further amend the several acts in relation to the town of Carlisle, in Nicholas county;

An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties;

An act conferring certain powers on the board of trustees of the town of Hazelgreen, Wolfe county;

An act to incorporate the Springfield and Bradfordsville Turnpike Road Company;

An act for the benefit of J. W. Crane and others, of Fleming county;

An act in aid of common schools of Grayson county;

An act to incorporate Hammond Lodge, No. 91, Independent Order of Odd Fellows;

An act to incorporate the town of Spottsville, in Henderson county;

An act to incorporate the Literary and Benevolent Society of St. Mary of the Angels;

An act to amend an act, entitled "An act for the benefit of turnpike roads in Scott county," approved March 21, 1872;

An act for the benefit of John Roberts, of Henry county;

An act for the benefit of John C. Evans, late deputy sheriff and tax collector of Hickman county;

An act to incorporate the Turnersville and Vandiver's Turnpike Road Company, in Lincoln county;

An act to change the time of holding courts of Pulaski county, in the 8th judicial district;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

The Senate took up for consideration a bill which originated in the House of Representatives, entitled

An act to amend chapter 90 of the General Statutes, title "Public Printing and Binding."

The question pending being on the passage of the bill,

Mr. Briggs moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Andrew J. Ewing,	Joseph B. Read,
Thos. J. Barker,	Joseph Gardner,	J. H. Stanley,
Wm. J. Berry,	James B. Garnett,	G. W. Swoope,
James Blackburn,	George B. Hodge,	E. W. Turner,
Robert A. Briggs,	S. H. Jenkins,	Thos. W. Varnon,
Scott Brown,	D. H. Lindsay,	C. J. Walton—19.
W. A. Cunningham,		

Those who voted in the negative, were

F. L. Cleveland,	B. W. S. Huffaker,	Sumner Marble,
W. W. Culbertson,	John Hyden,	Robert Simmons,
H. F. Finley,	J. R. Leslie,	H. A. Tyler,
Wm. Cassius Goodloe,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	P. A. Lyon,	George Wright—16.
R. G. Hays,		

The question was then taken on the passage of said bill.

Pending the consideration of which question,

Mr. Goodloe made the point of order that said bill had not been read on three several days, and free discussion allowed thereon, as required by section 29, article 2, of the Constitution.

The Speaker decided the point of order not well taken.

The Speaker's decision is as follows, viz :

A point of order being made by the Senator from Fayette that, under the Constitution, article 2, section 29, no bill can be placed upon its passage, until free discussion is allowed thereon, the Speaker decided that section 21 of said article 2 of the State Constitution, setting forth that

"each House of the General Assembly may determine the rules of its proceedings," must be taken into consideration with section 29 of said article, which reads as follows:

SEC. 29. No bill shall have the force of a law until, on three several days, it be read over in each House of the General Assembly, and free discussion allowed thereon, unless, in cases of urgency, four-fifths of the House where the bill shall be depending, may deem it expedient to dispense with this rule.

And as the rules of the Senate guard against the hurrying through of measures, requiring a two-thirds vote to suspend the regular course of legislative procedure and a four-fifths vote to place a bill on its passage the same day upon which it went to its third reading, all of which had been complied with—in fact, so rigidly that the bill was not put on its passage on the day it had its third reading—and being a printed bill, thereby gave opportunity for Senators to discuss same.

Furthermore, the Speaker holds that, under the parliamentary practice of the National Congress, as set forth in "Barelay's Digest," the mover of a measure or party reporting a bill has the right to close the debate or speak to the measure even though the previous question was ordered. Also, that now, within two days of the end of the session, with several important bills pending, it would properly be considered a case of urgency; and, as the bill has been printed for two weeks, there is no good reason why the rules of the Senate, which have given general satisfaction thus far, should not be adhered to in this instance. And, as the bill is upon its passage under the operation of the previous question, the Speaker would allow the committee reporting the bill to close the debate or speak to the bill in one speech, as per national parliamentary practice, after which the question would be taken upon the passage of the bill—the previous question, as ordered, being subject, however, to reconsideration were such the desire of the Senate, in order to divest the bill of said previous question so as to allow general debate.

From which decision Mr. Goodloe took an appeal, which is as follows, viz:

The previous question having been ordered by the Senate, and the Speaker having ruled that all debate was out of order, the Senator from Fayette raised the point of order that, under section 29, article 2, of the Constitution, "full discussion" on the passage of a bill could not be denied. The Speaker held the point not well taken, and stated that discussion would only be allowed to the Senator reporting the bill. From which decision the Senator from Fayette respectfully appeals.

The question was then taken, "Shall the decision of the Chair stand as the judgment of the Senate?" and it was decided in the affirmative.



The yeas and nays being required thereon by the Speaker, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
Wm. J. Berry,	George B. Hodge,	G. W. Swoope,
James Blackburn,	John Hyden,	E. W. Turner,
Robert A. Briggs,	S. H. Jenkins,	H. A. Tyler,
Scott Brown,	D. H. Lindsay,	Thos. W. Varnon,
W. A. Cunningham,	R. B. Lovel,	W. L. Vories,
Andrew J. Ewing,	P. A. Lyon,	C. J. Walton,
Joseph Gardner,	Joseph B. Read,	George Wright—28.
James B. Garnett,		

Those who voted in the negative, were—

F. L. Cleveland,	Wm. Cassius Goodloe,	J. R. Leslie,
W. W. Culbertson,	B. W. S. Huffaker,	Sumner Marble—7.
H. F. Finley,		

Mr. Berry then moved to reconsider the vote by which the main question had been ordered.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garnett and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	Sumner Marble,	George Wright—17.
Wm. Cassius Goodloe,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon—18.

Mr. Leslie then moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Garnett and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	J. R. Leslie,
F. L. Cleveland,	R. G. Hays,	Joseph B. Read,
W. W. Culbertson,	B. W. S. Huffaker,	W. L. Vories—9.

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	G. W. Swoope,
Scott Brown,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	C. J. Walton—24.

The question was then taken on the passage of the bill.

Pending the consideration of which question, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to incorporate the Sandlick Baptist Church, of Monroe county.

An act to amend the charter of the Louisville and Nashville Railroad.

An act for the propagation and protection of food fishes in the waters of the State of Kentucky.

An act to incorporate the Calloway Agricultural and Mechanical Association.

With amendments to the last two named bills, the last of which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Ohio County Bank."

2. An act to incorporate the Farmers and Mechanics' Manufacturing Company.

3. An act to authorize the county court of Grant county to appropriate money to turnpikes and for other purposes.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—

the 1st to the Committee on Banks and Insurance; the 2d to the Committee on Agriculture and Manufactures, and the 3d to the Committee on Appropriations.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz:

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to amend an act, entitled "An act to regulate official advertisements in the county of Henry," approved February 10th, 1874.

By Mr. Barker, from the Committee on Internal Improvement—

An act concerning the road laws of Daviess county.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the State Bank in Louisville," approved 6th March, 1876.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act in relation to the police court of Winchester.

By Mr. Tyler, from the Committee on Courts of Justice—

An act to legalize certain orders of the Hardin county court.

By same—

An act to prohibit the county judge of Hardin from issuing license to any citizen of West Point district, in Hardin county, to sell spirituous, vinous, or malt liquors.

By Mr. Brown, from the Committee on Military Affairs—

An act for the benefit of the Cynthiana, Connersville, and Scott County Turnpike Road Company.

By Mr. Tyler, from the Committee on Military Affairs—

An act to fix the compensation of the militia when in actual service.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. J. W. Hays moved to reconsider the vote by which the Senate passed the last named of said bills.

Which motion was simply entered.

Mr. Cunningham, from the Committee on Courts of Justice, reported

A bill to fix the time of holding the Montgomery circuit court.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to protect the interest of the Commonwealth of Kentucky in certain cases," approved February 24, 1873.

Mr. Swoope moved to reconsider the vote by which the Senate had dispensed with the third reading of said bill.

And the question being taken on the adoption of said motion, it was decided in the negative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	B. W. S. Huffaker,	Thos. W. Varnon,
W. W. Culbertson,	John Hyden,	George Wright—20.
Andrew J. Ewing,	R. B. Lovel,	

Those who voted in the negative were—

James Blackburn,	George B. Hodge,	J. H. Stanley,
Scott Brown,	J. R. Leslie,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	E. W. Turner,
James B. Garnett,	Joseph B. Read,	C. J. Walton—13.
James W. Hays,		

*Resolved*, That the title of said bill be amended so as to read,

An act further defining the authority and duties of the Governor, Auditor, and Commissioners of the Sinking Fund in the employment of counsel.



Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall not be lawful for the Governor to employ counsel to represent the State in any case where it is made the duty of the Attorney General to do so, by section two, article five, chapter five, of the General Statutes.

§ 2. The Auditor of Public Accounts shall not employ counsel to represent the State in any suit at law or equity in which the State is interested which may be begun in the Franklin circuit court, and all suits brought by the Auditor for the State shall be brought, in the Franklin circuit court, unless the Governor and the Attorney General shall authorize him, in writing, to proceed in some other court.

§ 3. The Commissioners of the Sinking Fund shall not employ counsel to bring or defend suits for the protection of the said fund in any case where it is made the duty of the Attorney General to do so.

§ 4. This act shall take effect from its passage.

The amendment heretofore adopted by the Senate to said bill reads as follows, viz :

Add to section one the following :

“*Provided*, That the Governor may employ counsel in the event the Attorney General should be sick or otherwise unable to prosecute or defend for the Commonwealth.”

The Senate took up for consideration the motion heretofore made by Mr. Edwards to reconsider the vote by which they had passed a bill from the House of Representatives, entitled

An act to allow the voters of Floyd county to vote on the proposition of moving the county seat of said county.

And the question being taken on the adoption of said motion, it was decided in the negative.

The Senate took up for consideration a motion heretofore made to reconsider the vote by which they had passed a bill from the House of Representatives, entitled

An act to amend chapter 76, General Statutes, title “Militia.”

And the question being taken on reconsidering said vote, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Robert A. Briggs,	D. H. Lindsay,	E. W. Turner,
Scott Brown,	R. B. Lovel,	Thos. W. Varnon,
W. A. Cunningham,	P. A. Lyon,	W. L. Vories—15.

Those who voted in the negative, were—

Wm. J. Berry,	Duncan Harding,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	G. W. Swoope,
Andrew J. Ewing,	John Hyden,	H. A. Tyler,
Joseph Gardner,	J. R. Leslie,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—16.
Wm. Cassius Goodloe,		

Mr. Wright, from the Committee on Agriculture and Manufactures, to whom was referred a bill from the House of Representatives, entitled

An act to establish a Bureau of Agriculture, Horticulture, and Statistics,

Reported the same without amendment.

Mr. Turner moved that said bill be printed and placed in the orders of the day, with the privilege of being called up at any time.

Mr. Barker moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the motion made by Mr. Turner, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Berry and Walton, were as follows, viz :

Those who voted in the affirmative, were—

Thomas J. Barker,	R. G. Hays,	Sumner Marble,
Andrew J. Ewing,	George B. Hodge,	J. H. Stanley,
James B. Garnett,	B. W. S. Huffaker,	G. W. Swoope,
Wm. Cassius Goodloe,	John Hyden,	E. W. Turner,
James W. Hays,	J. R. Leslie,	George Wright—15.

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	Joseph B. Read,
Wm. J. Berry,	Joseph Gardner,	Robert Simmons,
James Blackburn,	Duncan Harding,	H. A. Tyler,
Robert A. Briggs,	D. H. Lindsay,	Thos. W. Varnon,
Scott Brown,	R. B. Lovel,	W. L. Vories,
F. L. Cleveland,	P. A. Lyon,	C. J. Walton—19.
W. W. Culbertson,		

The question was then taken on ordering said bill to be read a third time.

Pending the consideration of which motion, the regular hour for adjournment having arrived, further action thereon was cut off.

And then the Senate adjourned.

FRIDAY, MARCH 17, 1876.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act for the benefit of D. N. Walden.

That they had concurred in the adoption of the amendments proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend an act, entitled "An act to protect the interest of the Commonwealth of Kentucky in certain cases," approved February 24th, 1873.

That they had concurred in the adoption of a resolution, and passed bills, which originated in the Senate, of the following titles, viz :

Resolution in relation to the death of ex-Governor Thomas E. Bramlette.

An act to amend the charter of the Louisville, Harrod's Creek, and Westport Railway Company.

An act to incorporate the town of Turner's Station, Henry county.

An act to amend the charter of the town of Elizabethtown, in Hardin county.

An act for the benefit of the assessor of Harrison county.

An act to fix the time of holding the Montgomery circuit court.

An act to amend an act, entitled "An act authorizing rewards for killing wolves, red foxes, &c.," approved 13th February, 1873.

An act to amend the charter of the Kentucky Central Railroad Company.

An act to protect sheep from depredations by dogs, and to authorize the county courts to impose taxes on dogs for county purposes.

An act to incorporate the Louisville Abstract and Loan Association.

An act to provide for the improvement of public roads in Hart County.

With amendments to the last three named bills.

That they had passed bills of the following titles, viz :

1. An act for the benefit of the sureties of L. F. Marshall, for the years 1872-'3-'4.

2. An act to change the line between the counties of Clay and Owsley.

3. An act to incorporate the William Garth Collegiate Institute, Paris, Kentucky.

4. An act to exempt the citizens from road tax north of Green river, in Henderson county, and require them to work on said road.

5. An act relating to jury trials in quarterly and justices courts in Henderson and other counties.

6. An act for the benefit of J. A. Jackson, former sheriff of Webster county.

7. An act for the benefit of W. T. Graves, of Ballard county.

8. An act for the benefit of Joseph H. Davis, sheriff of Ballard county.

9. An act to prevent cattle from running at large in Logan county.

10. An act to amend article four, chapter forty-one, General Statutes.

11. An act to prohibit any railroad corporation in this State from buying, leasing, or in any manner controlling competing line or lines of railroad.

12. An act to incorporate the Home Building and Savings Association of Newport.

13. An act relating to the recording of deeds and other recordable instruments in Campbell county.

14. An act to incorporate the Mt. Carmel Roman Catholic Cemetery, of Paducah.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 6th, and 8th to the Committee on Finance; the 2d to the Committee on Propositions and Grievances; the 3d to the Committee on Education; the 4th to the Committee on Internal Improvement; the 5th to the Committee on Courts of Justice; the 9th to the Committee on Agriculture and Manufactures; the 11th, 12th, and 13th to the Committee on Railroads; the 14th to the Committee on Religion and Morals, and the 7th was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,



*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Cleveland, from the Committee on Appropriations—

An act to authorize the county court of Grant county to appropriate money to turnpikes and for other purposes.

By Mr. Varnon, from the Committee on Privileges and Elections—

An act to repeal part of an act to amend an act, entitled “An act to incorporate the Danville Gaslight Company,” approved February 7th, 1874.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act for the benefit of litigants and attorneys of the Owsley circuit court.

By same—

An act to repeal an act, entitled “An act to change the time of holding the Union circuit courts,” approved March 1st, 1876.

By same—

An act to authorize the board of trustees of Somerset to compel able-bodied males arrested on *capias pro fine* to pay such fine by work.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of W. F. Fluty, of Estill county, committee for Walker Durbin, a pauper idiot.

By Mr. Varnon, from the Committee on Privileges and Elections—

An act exempting the citizens of Bryantsville, in Garrard county, from working on any road outside of said town.

By Mr. Read, from the Committee on Education—

An act in aid of common schools in Livingston county.

By same—

An act to incorporate the Lewisburg High School.

By Mr. Leslie, from the Committee on Claims—

An act for the benefit of J. M. Reed, of Metcalfe county.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to amend the charter of the Bank of Woodford, approved March 3d, 1869.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to incorporate the Hopkins County Lead and Mining Company.

By Mr. Culbertson, from the Committee on Finance—

An act for the relief of H. D. Porter, late sheriff of Elliott county, and his sureties.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate the Bagdad Cemetery Company.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Lindsay, from the Committee on Religion and Morals—

A bill to incorporate the New Columbus High School.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill giving the sheriff of Franklin county the longer time of two months to pay into the Treasury the revenue of said county.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

A bill to amend chapter one hundred and sixty, Acts of 1873 and 1874.

By Mr. Simmons, from the Committee on the Judiciary—

A bill to amend section two of article one, chapter twenty-eight, title "Court of Appeals," of the General Statutes.

By Mr. Lovel, from the Committee on Propositions and Grievances—

A bill for the benefit of Wm. Everage, of Perry county.

By same—

A bill to amend an act, entitled "An act to establish a criminal court in the 14th judicial district," approved March 13th, 1876.

By Mr. Jenkins, from the Committee on Internal Improvement—

A bill to authorize the county court of Marshall county to issue bonds to rebuild or enlarge the court-house.

By Mr. Culbertson, from the Committee on Internal Improvement—

A bill to amend an act, entitled "An act to incorporate the Owingsville and Mt. Sterling Turnpike Road Company."

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate resumed the consideration of the communication and petition of G. W. Smith, laid before the Senate on yesterday by the Speaker, together with the joint resolution pertaining thereto proposed by Mr. Cleveland.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That a committee of three be appointed by the Speaker of the Senate, to act with a similar committee on the part of the House of Representatives, to take into consideration the communication and petition of G. W. Smith, and the subject-matter thereto pertaining, and that the said communication be printed and referred to said select committee.

Mr. Lindsay objected to the further consideration of said petition and resolution, and made the following point of order :

Mr. Lindsay rose to a point order. He stated that if this action looked to the settlement of a personal difficulty between two men, it was not the province of the Senate to act in the matter. If the object is to asperse character to gratify a personal malignity, it is beneath even the contempt of the Senate. Then, if the object be to make a full and thorough investigation of an official, and said official should be found guilty of malfeasance, it would result in impeachment. By the Constitution of the State, the Senate has the sole power to try impeachments. Now it is submitted, whether the court that is to try a cause can act as a prosecutor.

The Speaker decided the point of order not well taken.

The Speaker's decision was as follows, viz :

The Speaker, in deciding the point of order made by the Senator from Gallatin, holds the opinion expressed by the Senator in making his point of order, but said opinion is based upon uncertain suppositions ; and the Speaker does not feel like determining the intent and purpose of the subject-matter of the petition causing said resolution to be introduced, and consequently will not rule the raising of a joint committee for the purpose expressed in the resolution to be out of order, but will allow same to go to a vote, and the Senators can vote in accordance with their interpretation of the matter.

Mr. Briggs moved to amend said resolution by adding thereto the following proviso, viz :

“*Provided*, That said committee shall receive no pay from the State for their services, and shall defray their own expenses while thus engaged.”

Mr. Turner moved to amend the amendment proposed by Mr. Briggs by adding thereto the following, viz :

“ Unless the said committee shall sit after the adjournment of this Legislature—in that event they, shall have their necessary expenses paid out of the Treasury.”

Mr. R. G. Hays then moved the previous question.

And the question being taken, “ Shall the main question be now put ? ” it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Turner to the amendment proposed by Mr. Briggs, and it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Briggs, as amended, and it was decided in the negative.

The question was then taken on the adoption of the resolution proposed by Mr. Cleveland, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. R. G. Hays and Brown, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	B. W. S. Huffaker,	Robert Simmons,
James Blackburn,	John Hyden,	G. W. Swoope,
F. L. Cleveland,	R. B. Lovel,	E. W. Turner,
W. W. Culbertson,	P. A. Lyon,	H. A. Tyler,
H. F. Finley,	Sumner Marble,	Thos. W. Varnon,
Duncan Harding,	Joseph B. Read,	C. J. Walton—19.
George B. Hodge,		

Those who voted in the negative, were

Pollock Barbour,	James W. Hays,	D. H. Lindsay,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	George Wright—13.
James B. Garnett,		

The Speaker laid before the Senate the following communication, viz :

STATE OF KENTUCKY,	}
OFFICE OF AUDITOR OF PUBLIC ACCOUNTS,	
FRANKFORT, March 17th, 1876.	

HON. JOHN C. UNDERWOOD, *Speaker of the Senate*:

SIR : I see in the Daily Yeoman of this morning that General Gustavus W. Smith has seen proper to address a communication to the two Houses



of the General Assembly, in response to the following card, which I deemed it my duty to publish on the 15th inst., in reply to an anonymous writer in the Louisville Daily Globe:

"A CARD.

"Waiving the propriety of noticing an anonymous communication, I have concluded to make a brief response to a letter published in the Louisville 'Daily Globe' of the 13th inst., over the signature of 'A Friend'.

"1st. It is not true that I *expelled* from office ex-Commissioner Smith for any cause whatever. I only declined to *reappoint* him, for reasons not necessary to mention, and in which the Legislature and the public have no concern.

"2d. There is no evidence in my department, or in the Insurance Department of my office, so far as I know, that H. T. Stanton was dismissed from the Insurance Bureau for the cause mentioned by 'A Friend,' or for any other cause. On the contrary, my information is, that Major Stanton *resigned* his position as Deputy Insurance Commissioner; for what reason I have no personal knowledge. I do know that his resignation was to take effect one month from its date. But in any event, I had nothing whatever to do with any misunderstanding between General Smith and Major Stanton. That was a matter between them, and not between either of them and the State or the Auditor. The books and records in my office do not show that Major Stanton is indebted to the State a single cent. Major Stanton was not an appointee of mine, but of Gen. Smith, ex-Commissioner.

"3d. It is true that Bedford Leslie was taken down with inflammatory rheumatism about the middle of the month of May, 1874, and did not resume his duties in the Insurance Bureau until the 26th day of November following. It is also true that during this period he drew his pay, and I and Gen. Smith would have been less than brutes if we had refused to pay him because he was not able to discharge his duties.

"David Meriwether, jr., was employed as clerk in the Insurance Bureau, on the written request of General Smith, ex-Insurance Commissioner, on the 11th day of June, 1874, and continued in that employment until the 30th of November, 1875, when he was relieved from duty by Gen. Smith. So that it will be seen from the foregoing facts that the Insurance Commissioner was not compelled to employ Meriwether in consequence of Leslie's illness, or he would not have continued him (Meriwether) as clerk for more than a year after Leslie resumed his duties.

"4th. It is not true, but utterly false, that clerk Baird was absent three or four months in 1875 electioneering for me for Auditor, in Ohio and other counties. But it is true that Mr. Baird had a leave of absence for about six weeks at a season of the year when I could best spare his ser-

vices. This leave of absence was granted him at his own request, and not for the purpose of electioneering for my re-election as Auditor. If he electioneered for me he did it at his own instance, and at his own expense.

"5th. It is utterly false that I, before entering into my canvass for re-election as Auditor, or at any other time, exacted from my clerks, or any one of them, a letter from them to place other clerks in their positions should I find it necessary to promote my re-election as Auditor.

"5th. It is equally false that I assessed, or authorized to be assessed, or solicited, directly or indirectly, any clerk in the Auditor's office, or in the Insurance Bureau, or any other person, a single cent to promote my renomination and re-election as Auditor. If a single dollar was spent, by any friend on that account for me, it was done without my knowledge or direction.

"7th. The charge that I have issued, or authorized to be issued, any insurance license to any agent in violation of law, is a foul calumny, and as such I denounce it.

"8th. The charge that I promised in March, 1874, or at any other time previous to my re-election in August, 1875, the position of Insurance Commissioner to Major Clinton McClarty, or any other person, is false and slanderous.

"The following letter from Maj. McClarty to me will settle the matter, so far as he and I are concerned :

"LOUISVILLE, KY., January 4, 1876.

"COL. D. HOWARD SMITH, *Frankfort, Ky.* :

"DEAR SIR: Your favor of the 3d inst. is received. In response to the inquiries therein made, I state most emphatically that there was no understanding, agreement, or arrangement, expressed or implied, between you and myself, that, in the event of your renomination or re-election to the office of Auditor, that I was to receive from you the appointment of Insurance Commissioner. Nor did I understand from you, or any one for you, that you were committed to or contemplated such appointment, until after the August election in 1875. The first letter I received from you on the subject bears date October 1st, 1875, and the definite tender of the appointment was made on the 15th of November, 1875. My replies to your letters will indicate the manner in which I regarded the offer, and the reasons which impelled me to decline it.

"I am, respectfully, your friend and obedient servant,

"CLINTON McCLARTY.'

"All of the other allegations contained in the communication of 'A Friend' are equally false with those mentioned above, except that the blank licenses printed for insurance agents are printed and mailed at the public expense. But this is done because the law authorizes it.

"I repeat, in conclusion, that I deny that I expelled ex-Commissioner Smith from office. He served out his term of office for the term for which he was appointed, and I only declined to re-appoint him for reasons satisfactory to myself. That is the whole of it.

"It is due, however to Mr. Leslie that I should say, that I appointed him without any solicitation on his part, and without his knowledge, because of his pre-eminent qualifications for the position. If he fails to discharge his whole duty under the laws of the State--the only thing the people are interested in--then charge it to me.

"Respectfully,

"D. HOWARD SMITH.

"FRANKFORT, KY., March 15, 1876."

It is not my purpose to make any response to Gen. Smith's letter, but I do respectfully ask of the General Assembly, and urge the fullest investigation, at the earliest convenient moment, of the several matters mentioned by him.

I have the honor to be, very respectfully, your obedient servant,

D. HOWARD SMITH, *Auditor*.

I ask, as a matter of simple justice, that the foregoing be spread on the Journal of the Senate, *if* Gen. Smith's letter has gone on the Journal.

D. HOWARD SMITH.

Which was received, read, and ordered to be spread upon the Journal.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Colston Crabtree, of Daviess county.

An act to incorporate the Clinton Baptist Female College.

An act for the benefit of the North Middletown and Thatcher's Mill Turnpike Road Company.

An act to charter the Plum Branch and Bald Knob Turnpike Road Company.

An act to incorporate the Bradford's Landing and Washington Trace Turnpike Road Company, in Bracken county.

An act for the benefit of W. G. McGill, late deputy sheriff of Breckinridge county.

An act conferring jurisdiction upon the Henderson city court to try prosecutions for carrying concealed deadly weapons.

An act incorporating the Marion Bank, in Crittenden county.

An act to amend an act authorizing a portion of the Jamestown magisterial district, in Campbell county, to be taxed to purchase the Newport and Dayton Turnpike Road, and to bridge Taylor creek.

An act to incorporate the Princeton Bank.

An act to provide for the levy and collection of a tax on dogs, and protect the rights of the owners thereof in Fayette and other named counties.

The Senate took up for consideration the resolution from the House of Representatives, entitled

Resolution providing for an extension of the present session.

Said resolution reads as follows, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,* That the present session of the General Assembly be extended until March the 20th, at 9 P. M., at which time they will adjourn *sine die*.

Mr. Swoope moved to amend said resolution by striking out the words "9 P. M., March 20th," and insert in lieu thereof the words "March 27th, at 12 M."

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	P. A. Lyon,	J. H. Stanley,
S. H. Jenkins,	Sumner Marble,	G. W. Swoope—7.
D. H. Lindsay,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	George B. Hodge,	Thos. W. Varnon,
W. W. Culbertson,	B. W. S. Huffaker,	W. L. Vories,
W. A. Cunningham,	John Hyden,	C. J. Walton,
Andrew J. Ewing,	J. R. Leslie,	George Wright—28.
H. F. Finley,		

Mr. Barker moved to amend said resolution by striking out the words 9 P. M., and inserting in lieu thereof the words 12 M.

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Tyler, were as follows, viz :



Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	E. W. Turner,
Thos. J. Barker,	Wm. Cassius Goodloe,	H. A. Tyler,
Wm. J. Berry,	B. W. S. Huffaker,	Thos. W. Varnon,
Andrew J. Ewing,	John Hyden,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—16.
Joseph Gardner,		

Those who voted in the negative, were—

James Blackburn,	James W. Hays,	Sumner Marble,
Robert A. Briggs,	R. G. Hays,	Joseph B. Read,
Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	S. H. Jenkins,	J. H. Stanley,
W. W. Culbertson,	J. R. Leslie,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories—20.
Duncan Harding,	R. B. Lovel,	

The question was then taken on concurring in the adoption of said resolution, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James B. Garnett,	R. B. Lovel,
Robert A. Briggs,	Duncan Harding,	P. A. Lyon,
Scott Brown,	James W. Hays,	Sumner Marble,
F. L. Cleveland,	R. G. Hays,	Robert Simmons,
W. A. Cunningham,	George B. Hodge,	J. H. Stanley,
Andrew J. Ewing,	John Hyden,	E. W. Turner,
H. F. Finley,	J. R. Leslie,	W. L. Vories—23.
Joseph Gardner,	D. H. Lindsay,	

Those who voted in the negative, were—

Thos. J. Barker,	B. W. S. Huffaker,	H. A. Tyler,
Wm. J. Berry,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	Joseph B. Read,	C. J. Walton,
Wm. Cassius Goodloe,	G. W. Swoope,	George Wright—12.

The Senate took up for consideration a motion heretofore made to reconsider the vote by which they had rejected a bill, entitled

An act for the benefit of certain residents of the counties of Henderson and Union who are now destitute by reason of the destruction of their crops by flood and by fire and storm.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Stanley moved to amend said bill by striking out \$800 in the eighth line of the third section, and inserting in lieu thereof \$1,000, which was adopted.

Sundry amendments were proposed to said bill, all of which were rejected.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,      R. B. Lovel,      G. W. Swoope—3.

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	W. L. Vories,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton.
H. F. Finley,	J. R. Leslie,	George Wright—28.
Joseph Gardner,		

So said bill was rejected.

Mr. Hodge, from the Committee on Railroads, to whom was referred a bill from the House of Representatives, entitled

An act to amend article 12, chapter 92, of the General Statutes,

Reported the same without amendment.

Mr. Tyler proposed an amendment to said bill.

*Ordered*, That said bill and amendment be printed and placed in the orders of the day.

Mr. Ewing moved to suspend the rule in order to take up a bill out of the orders of the day, entitled

An act to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.

Mr. Tyler moved to amend that motion by directing the Committee on the Penitentiary to report a bill from the House of Representatives, entitled

An act authorizing the employment and hiring of convicts to work out of the penitentiary.

And the question being taken on the adoption of said motion, it was decided in the negative.

Mr. Goodloe moved to amend the motion made by Mr. Ewing by suspending the rules in order to take up out of the orders of the day a bill from the House of Representatives, entitled

An act to amend and reduce into one the several acts organizing and regulating the Lunatic Asylums of this State.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	H. F. Finley,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	George B. Hodge,	H. A. Tyler,
Robert A. Briggs,	B. W. S. Huffaker,	C. J. Walton,
W. W. Culbertson,	R. B. Lovel,	George Wright—16.
W. A. Cunningham,		

Those who voted in the negative, were—

Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	John Hyden,	J. H. Stanley,
Andrew J. Ewing,	S. H. Jenkins,	G. W. Swoope,
Joseph Gardner,	J. R. Leslie,	E. W. Turner,
Duncan Harding,	D. H. Lindsay,	Thos. W. Varnon,
James W. Hays,	Joseph B. Read,	W. L. Vories—18.

The question was then taken on the motion made by Mr. Ewing, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Blackburn, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
Joseph Gardner,	D. H. Lindsay,	W. L. Vories,
Wm. Cassius Goodloe,	R. B. Lovel,	George Wright—26.
Duncan Harding,	P. A. Lyon,	

Those who voted in the negative, were—

Pollock Barbour,	James Blackburn,	Sumner Marble,
Thos. J. Barker,	H. F. Finley,	C. J. Walton—8.
Wm. J. Berry,	B. W. S. Huffaker,	



The Senate then took up for consideration

A bill to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Governor and the Commissioners of the Sinking Fund are constituted a Board of Commissioners for designing and carrying out a plan for the extension of the Penitentiary, and building additional cells, and erecting such other buildings, or making such extension of buildings now in use, as are demanded for the use of the Penitentiary.

§ 2. That said Board of Commissioners shall have power, and it shall be their duty, to employ a skilled architect, who shall, at the earliest day consistent with due care and consideration, make out and furnish a plan, with full specifications and estimates, for the proposed extension, including work-shops and cells; and it shall be the duty of said Board of Commissioners to advertise for bids, giving full specifications as to the kind and amount of work done, quality of workmanship, kind and quality of materials to be used, and the length of time in which said work shall be completed; and they shall let out the contract to the lowest and best bidder; and they shall require of the contractor bond, with good security, to do the work in all respects according to contract; which contract shall be in writing, and signed in duplicate.

§ 3. The Board of Commissioners may purchase such parcels of land adjoining the land now owned by the State, adjacent to the Penitentiary, as may be necessary to straighten the exterior lines of the lands now belonging to the State, if, in their judgment, such purchase is judicious, and the same can be done upon reasonable terms; and they may purchase the old tannery also, and include the same in the walls of the Penitentiary. They shall take a conveyance or conveyances in the name of the State for all such purchases.

§ 4. That the sum of one hundred and twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of making the extension and purchases authorized to be made in this act.

§ 5. The architect employed by the Board of Commissioners shall, at the end of each month, make an estimates of the work done during that month, and the value thereof, and certify the same to the Board of Commissioners; and if they believe the estimates correct, they shall certify the same to the Auditor of Public Accounts for payment; and the Auditor shall draw his warrant upon the Treasurer in favor of the contractor for the payment of \_\_\_\_\_ per cent. of the value of said work.

§ 6. After the work shall have been completed and accepted by the Commissioners, they shall certify the same to the Auditor. Twelve months after the completion of said work, it shall be the duty of the Commissioners and architect to examine and inspect the work, and if, after such inspection, they certify that the work was done in a good and substantial manner, and in accordance with the terms of the contract, then the Auditor shall draw his warrant upon the Treasurer for the balance due the contractor.

§ 7. The Board shall enter into contract with the architect they employ, in writing, stating in full the duties and powers of the architect, as well as the compensation he is to receive. They may pay him monthly in the same proportion as they pay the contractor, and shall certify to the Auditor in the same manner.



§ 8. Said Board of Commissioners shall have an understanding and agreement in writing, with the lessee of the prison, concerning the right or privilege of the party or parties making the contract to do the work, of ingress and egress necessary to enable them to do the work.

§ 9. Said Board may let contracts to different parties for different parts of the work, or may include all the work in one contract.

§ 10. This act shall take effect from its passage.

Mr. Wright moved the following amendment as a substitute for said bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Commissioners of the Sinking Fund are hereby authorized to apply the sum of money herein appropriated to the erection of cells in the Penitentiary; they are authorized to prepare plans and specifications for cells, and contract for the building of the same, taking from the contractor bond with good surety, payable to the Commonwealth of Kentucky, for the faithful performance of his contract.

§ 2. The sum of twenty-five thousand dollars is hereby appropriated out of any money in the Treasury not otherwise appropriated, for the purpose of paying for the improvements authorized by this act, which sum, or any part thereof, shall be paid on the warrant of the Auditor, drawn on the Treasurer; but the Auditor shall not draw any such warrant until ordered to do so by the Commissioners of the Sinking Fund.

§ 3. The Commissioners of the Sinking Fund shall report to the next General Assembly what they do under this act.

§ 4. This act shall take effect from its passage.

Mr. Simmons then moved the following amendments to said bill, viz :

Amend first section by adding the following to the end thereof: "To such extent only as the said Commissioners, in their wisdom, may deem essential for the use and comfort of the inmates of the Penitentiary for the two succeeding years."

Amend second section by adding the following just after the word "cells," in the fifth line: "To such extent as said Commissioners may, in their wisdom, deem essential to be made for the use and comfort of the inmates of said Penitentiary for the two succeeding years."

Amend the third section by adding the following proviso to the end thereof: "*Provided*, Nothing herein shall be construed as requiring or directing said Commissioners to make either of said purchases; but the necessity and propriety of making said purchase is left to the judgment and discretion of said Commissioners."

Add the following as an additional section: "The said Commissioners shall be, and they are hereby, required to make a full and complete report to the next General Assembly of this Commonwealth, of all that may be done under and by virtue of this act."

Which were adopted.

The question was then taken on the adoption of the amendment proposed as a substitute for said bill by Mr. Wright, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	H. F. Finley,	Sumner Marble,
James Blackburn,	James B. Garnett,	H. A. Tyler,
W. W. Culbertson,	Wm. Cassius Goodloe,	George Wright—11.
W. A. Cunningham,	B. W. S. Huffaker,	

Those who voted in the negative were—

Thos. J. Barker,	George B. Hodge,	Robert Simmons,
Robert A. Briggs,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	Joseph B. Read,	C. J. Walton—22.
James W. Hays,		

Mr. Barker then moved the following amendment as a substitute for said bill, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That it shall be lawful for the Keeper of the Penitentiary of this Commonwealth to employ or hire to others the able-bodied male convicts under sentence of confinement therein, or as many as may be deemed proper, to labor upon any of the streams of this Commonwealth for the purpose of slack-watering the same, as well by the erection of other locks and dams, as by the repairing and improving of those which have already been erected; or to work in iron or coal mines, and in the construction of railroads.

§ 2. The convicts thus employed outside of the Penitentiary shall be under the care of some discreet, prudent, and otherwise competent person, who shall be styled Warden, to be selected by the Governor of the Commonwealth and the Keeper of the Penitentiary, who shall take an oath that he will faithfully and to the best of his skill and judgment discharge the duties required of him by this act, and shall hold his office at the pleasure of the Governor and Keeper of the Penitentiary.

§ 3. It shall be the duty of the Warden to exercise a careful oversight of the prisoners under his charge, to employ the necessary guards in order to prevent escapes, to look after the health and personal comfort of the prisoners, and see that they are kept employed but not over-worked.

§ 4. The Warden shall have the same power and authority over the prisoners, while employed outside of the Penitentiary, and also while in transit to the place or places where they are to be employed, and back and forth, and from one place of labor to another, as the Keeper of the Penitentiary now has under the law governing the same, and also the rules of the prison over the convicts within the walls of the Penitentiary, and the same now in force for the government of the prisoners shall apply and be in force, as far as practicable, to all convicts worked outside of the Penitentiary under the provisions of this act; and any prisoner or prisoners, thus detailed to labor outside of the Penitentiary, who shall escape, or attempt to escape, or who shall refuse to obey, or who shall resist the authority of the Warden or of the guards appointed by him, or who shall unite in any mutiny, or aid or abet any mutiny or resistance of the authority of the Warden aforesaid, or of the guards appointed by him, shall be deemed guilty of the same offense, and be punished in the same manner as if the same had been done within the walls of the Penitentiary.

§ 5. If any person or persons, not a convict, shall knowingly and willfully aid, abet, counsel, or assist any prisoner or prisoners, thus detailed or employed in labor outside of the Penitentiary as aforesaid, to escape or attempt to escape, or to resist the Warden or guards, or in anywise to resist their authority, he or they so offending shall be deemed guilty of felony, and, upon conviction by a court of competent jurisdiction, be sentenced to confinement and labor in the Penitentiary for not less than one nor more than four years, at the discretion of a jury.

§ 6. It shall be the duty of the Keeper of the Penitentiary and the Governor of this Commonwealth to designate what number of convicts shall be employed at labor outside of the Penitentiary as aforesaid, and also to prescribe what proper and reasonable reward shall be bestowed upon such convict so employed for faithfulness and good behavior; and they may also prescribe a system of rules and regulations adapted to the circumstances for the better government and control of the convicts so employed.

§ 7. The State of Kentucky shall in nowise be responsible for any costs or charges or other liability growing out of any contract or agreement made or entered into pursuant to this act; and all officers created by this act shall be paid by the Keeper of the Penitentiary.

§ 8. The Governor and Keeper of the Penitentiary may appoint as many Wardens as the necessities of the case may require.

§ 9. The Keeper of the Penitentiary shall make a correct record of the convicts who shall be employed at labor as aforesaid, showing the name of each convict, when, where, and for what crime he was sentenced, as well as the duration of the sentence; one copy of which shall be furnished to the Warden having charge of them, and one copy shall be delivered to the Governor.

§ 10. It shall be the duty of the Warden to keep a correct record, showing the number of days each convict has labored, whether any have been sick, whether any have escaped or attempted to escape, also deaths, if any, and such other facts touching the conduct, demeanor, and welfare of each convict as he may deem of importance; of all which he shall make a report to the Keeper of the Penitentiary at the end of each month.

§ 11. No convict shall be so employed or hired to others, as directed by this act, until he has given his consent in writing, which shall be signed and acknowledged by such convict before some justice of the peace of Franklin county, and the same to be filed with the Keeper of the Penitentiary.

§ 12. It shall be the duty of the Keeper of the Penitentiary, on employing or hiring to others convicts, to require of such person or persons to provide for such convicts good, suitable, and safe places in which to sleep, and in all other respects to provide for them as now required by law while in the Penitentiary.

§ 13. No convict whose term of confinement is for a greater period of time than ten years shall be employed or hired out under the provisions of this act.

§ 14. That this act shall take effect and be in force from its passage.

Mr. Walton moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of the amendment as a substitute proposed by Mr. Barker, and it was decided in the negative.



*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time.

Mr. J. W. Hays then moved to suspend the rule of the Senate in order to put said bill on its passage.

And the question being taken on the adoption of said motion, it was decided in the negative—not having received the required four-fifths majority.

The yeas and nays being required thereon by Messrs. Barker and Blackburn, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	John Hyden,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
Joseph Gardner,	D. H. Lindsay,	Thos. W. Varnon,
James B. Garnett,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	P. A. Lyon,	C. J. Walton,
James W. Hays,	Joseph B. Read,	George Wright—24.

Those who voted in the negative, were—

Thomas J. Barker,	W. W. Culbertson,	B. W. S. Huffaker,
Wm. J. Berry,	H. F. Finley,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	H. A. Tyler—11.
Robert A. Briggs,	George B. Hodge,	

Mr. J. W. Hays then moved that said bill be made the special order of the day for to-morrow, at 10 o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative—not having received the required two-thirds majority.

The yeas and nays being required thereon by Messrs. Blackburn and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	John Hyden,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
Joseph Gardner,	D. H. Lindsay,	Thos. W. Varnon,
James B. Garnett,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	P. A. Lyon,	C. J. Walton—23.
James W. Hays,	Joseph B. Read,	

Those who voted in the negative, were—

Thos. J. Barker,	W. W. Culbertson,	B. W. S. Huffaker,
Wm. J. Berry,	H. F. Finley,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	H. A. Tyler,
Robert A. Briggs,	Geo. B. Hodge,	George Wright—12.



The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State.

The question was then taken on the first amendment proposed by Mr. Vories, which reads as follows, viz :

Amend sub-section six of section ten by adding thereto the following, viz :

“The provisions of this section, beginning with the word ‘the,’ and ending with the word ‘thereon,’ in said sub-section, shall not take effect during the term of office by which the present stewards were appointed.”

And the question being taken on the adoption of said amendment, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	S. H. Jenkins,	E. W. Turner,
Joseph Gardner,	J. R. Leslie,	H. A. Tyler,
James B. Garnett,	D. H. Lindsay,	W. L. Vories,
James W. Hays,	J. H. Stanley,	George Wright—14.
R. G. Hays,	G. W. Swoope,	

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	P. A. Lyon,
Thos. J. Barker,	H. F. Finley,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	George B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	B. W. S. Huffaker,	C. J. Walton—20.
W. W. Culbertson,	R. B. Lovel,	

The question was then taken on the adoption of the amendment proposed by Mr. Vories to section fifteen, which reads as follows, viz :

“Add to section fifteen, line five, after the word week : ‘And hereafter all moneys for board and extra attention given pay patients shall be paid to the Board of Commissioners, and in no event shall the superintendent contract for or receive from any person any moneys or other thing intended as a gift or compensation for any service or extra attention given any patient; and all excess of pay patients shall be paid by the president of the Board into the State Treasury.’”

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
Joseph Gardner,	Joseph B. Read,	H. A. Tyler,
James W. Hays,	G. W. Swoope,	W. L. Vories—9.

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	D. H. Lindsay,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
Scott Brown,	George B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	B. W. S. Huffaker,	C. J. Walton,
W. W. Culbertson,	John Hyden,	George Wright—23.
W. A. Cunningham,	S. H. Jenkins,	

The question was then taken on the amendment proposed to sub-section six of section ten, which reads as follows, viz :

“In line fifty-one, after the word ‘sum,’ strike out ‘\$800’ and insert ‘\$1,000,’”

And it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Vories to sub-section two of section ten, by striking out the word “superintendent,” in line twenty-four, and inserting in lieu thereof the words “Board of Commissioners,”

And it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Vories to sub section seven of section ten, which reads as follows, viz :

“Add to said sub-section the words : ‘And the superintendent hereafter appointed shall receive for his services a salary of \$1,500, and the matron a salary of \$300, and their board and lodging, including that of their children, if any, in the asylum,’”

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	J. R. Leslie,	G. W. Swoope—4.
Duncan Harding,		

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	Sumner Marble,
Thos. J. Barker,	H. F. Finley,	Robert Simmons,
Wm. J. Berry,	Wm. Cassius Goodloe,	J. H. Stanley,

James Blackburn,	James W. Hays,	E. W. Turner,
Robert A. Briggs,	George B. Hodge,	H. A. Tyler,
Scott Brown,	B. W. S. Huffaker,	Thos. W. Varnon,
F. L. Cleveland,	R. B. Lovel,	C. J. Walton,
W. W. Culbertson,	P. A. Lyon,	George Wright—24.

The question was then taken in the amendment proposed by Mr. Vories, to strike out the words "indorsed by the superintendent," in section ten, line ten,

And it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Vories, to strike out the words "by direction of the superintendent," in section ten, line one,

And it was decided in the negative.

The question was then taken on the adoption on the amendment proposed by Mr. Vories, to insert the words "the superintendent" after the word "consult," in section ten, line three,

And it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Vories, to strike out the words "and indorsed by the superintendent," in section nine, lines three and four,

And it was decided in the negative.

The question was then taken on the amendment proposed by Mr. Vories, by striking out the words "except those upon the farm who shall be appointed by the steward," in section five, subsection two, line eight,

And it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
James W. Hays,	G. W. Swoope,	W. L. Vories—6.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	C. J. Walton,
W. A. Cunningham,	R. B. Lovel,	George Wright—26.
H. F. Finley,	P. A. Lyon,	

The question was then taken on the amendment proposed by Mr. Vories to section 5, subsection 3, line 2, by striking out the word



"superintendent," and inserting the words "board of commissioners;" and in same section, line twelve, by striking out the words "approved by the commissioners,"

And it was decided in the negative.

The question was then taken on the adoption of the substitute proposed by Mr. Turner for said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Vories and Blackburn, were as follows, viz :

Those who voted in the affirmative, were—

John Hyden,	E. W. Turner,	W. L. Vories—4.
J. R. Leslie,		

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	P. A. Lyon,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	Robert Simmons,
Robert A. Briggs,	Duncan Harding,	J. H. Stanley,
Scott Brown,	J. W. Hays,	G. W. Swoope,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
W. W. Culbertson,	George B. Hodge,	Thos. W. Varnon,
W. A. Cunningham,	B. W. S. Huffaker,	C. J. Walton,
Andrew J. Ewing,	S. H. Jenkins,	George Wright—29.
H. F. Finley,	R. B. Lovel,	

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
James Blackburn,	James W. Hays,	Joseph B. Read,
Robert A. Briggs,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	R. B. Lovel,	George Wright—34.
James B. Garnett,		

In the negative—E. W. Turner—1.

Said bill was then read a third time.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.



The yeas and nays being required thereon by Messrs. Turner and Brown, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	D. H. Lindsay,
Thos. J. Barker,	James B. Garnett,	R. B. Lovel,
Wm. J. Berry,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	J. H. Stanley,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
Andrew J. Ewing,	S. H. Jenkins,	C. J. Walton,
H. F. Finley,	J. R. Leslie,	George Wright—33.

Those who voted in the negative, were

G. W. Swoope, E. W. Turner, W. L. Vories—3.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Goodloe moved to reconsider the vote by which the Senate had passed said bill.

Mr. Barker moved to lay that motion on the table.

Which motion was adopted.

Mr. Barker moved that a committee be appointed to withdraw from the House of Representatives a resolution which originated in the Senate, entitled

Resolution appointing a joint committee to take into consideration the communication and petition of Gen. G. W. Smith.

Which was adopted, and Mr. Barker appointed said committee.

After a short time said resolution was handed in at the Clerk's desk.

Mr. Cleveland moved to reconsider the vote by which the Senate had adopted said resolution.

Which motion was adopted.

Mr. Cleveland then moved the following resolution, viz :

*Resolved*, That a committee of three be appointed by the Speaker of the Senate, to act with a similar committee on the part of the House of Representatives, to take into consideration the communication and petition of G. W. Smith, and the subject-matter thereto pertaining; and that the said communication be printed and referred to said select committee.

Mr. Briggs then moved to amend said resolution as follows, viz :

“Such committee shall receive no pay from the State for their services, and shall defray their own expenses while thus engaged.”

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Briggs and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	S. H. Jenkins,	J. H. Stanley,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
Duncan Harding,	Robert Simmons,	George Wright—10.
James W. Hays,		

Those who voted in the negative, were—

Thos. J. Barker,	George B. Hodge,	Sumner Marble,
F. L. Cleveland,	B. W. S. Huffaker,	Joseph B. Read,
W. W. Culbertson,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	E. W. Turner,
James B. Garnett,	R. B. Lovel,	Thos. W. Varnon,
Wm. Cassius Goodloe,	P. A. Lyon,	C. J. Walton—19.
R. G. Hays,		

Mr. Walton moved to lay said resolution on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Andrew J. Ewing,	S. H. Jenkins,	W. L. Vories,
James B. Garnett,	J. R. Leslie,	C. J. Walton,
Duncan Harding,	D. H. Lindsay,	George Wright—15.

Those who voted in the negative, were—

Thos. J. Barker,	George B. Hodge,	Joseph B. Read,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler,
H. F. Finley,	P. A. Lyon,	Thos. W. Varnon—17.
Wm. Cassius Goodloe,	Sumner Marble,	

Mr. Garnett then moved to amend said resolution by striking out "three" and inserting "five" therein.

Which was adopted.

And the question being taken on the adoption of the resolution, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Robert A. Briggs,	Geo. B. Hodge,	Joseph B. Read,
F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,

W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	R. B. Lovel,	H. A. Tyler,
H. F. Finley,	P. A. Lyon,	Thos. W. Varnon—18.

Those who voted in the negative, were—

Andrew J. Ewing,	R. G. Hays,	W. L. Vories,
James B. Garnett,	S. H. Jenkins,	C. J. Walton,
Duncan Harding,	Robert Simmons,	George Wright—11.
James W. Hays,	J. H. Stanley,	

Mr. Briggs moved to reconsider the vote by which the Senate had adopted said resolution.

Mr. Barker moved to lay that motion on the table.

Which motion was adopted, and the Speaker appointed Messrs. Cleveland, Simmons, Walton, Marble, and Jenkins said committee.

Mr. Barker moved the following resolution, viz :

*Resolved*, That after the adjournment of the Senate on to-morrow, no bill shall be entertained or passed upon during the remainder of the present session.

Which was rejected.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had disagreed to a bill from the House of Representatives, entitled

An act requiring the county court of Jefferson county to appoint a measurer of wood, stave-timber, lumber, hoop-poles, and staves.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration an engrossed bill, entitled

An act to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.

The question was then taken on reconsidering the vote by which the Senate had refused to suspend the rule in order to put said bill on its passage, and it was decided in the affirmative.

Mr. J. W. Hays then moved to suspend the rule in order to put said bill upon its passage.

And the question being taken on the adoption of said motion, it was decided in the negative—not having received the required four-fifths majority.

The yeas and nays being required thereon by Messrs. Finley and Simmons, were as follows, viz :



Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	G. W. Swoope,
W. A. Cunningham,	J. R. Leslie,	E. W. Turner,
Andrew J. Ewing,	D. H. Lindsay,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	Thos. W. Varnon,
Duncan Harding,	P. A. Lyon,	W. L. Vories,
James W. Hays,	Joseph B. Read,	C. J. Walton—24.

Those who voted in the negative, were—

Thos. J. Barker,	H. F. Finley,	B. W. S. Huffaker,
James Blackburn,	James B. Garnett,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	George Wright—11.
W. W. Culbertson,	George B. Hodge,	

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act for the benefit of B. R. Nall and others, sureties of Joseph Gore, late sheriff of Larue county.

Which was twice read and concurred in.

The Senate took up for consideration

A bill to create the Owensboro Chancery Court.

*Ordered*, That said bill be engrossed and read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That a court, to be styled the "Owensboro Chancery Court," is hereby created in the county of Daviess, to be held at the court-house in the city of Owensboro, having exclusive jurisdiction of all equitable actions and proceedings of which the Daviess circuit court now has jurisdiction; and shall possess all the power now possessed by the Daviess circuit court in equitable actions and proceedings.

§ 2. The judge of said court shall be styled the "Chancellor of the Owensboro Chancery Court;" shall be elected by the qualified voters of Daviess county on the first Monday in August, 1876, and hold his office until the first Monday in August, 1880, and until his successor shall have been duly elected and qualified, and on the first Monday in August, 1880, and each six years after the first Monday in August, 1880, and shall hold his office for a period of six years, and until his successor shall have been duly elected and qualified. He shall possess the same qualifications, and take the same oath prescribed for circuit court judges; and shall receive a salary of one thousand five hundred dollars less than the present salary of circuit court judges in this State per annum, to be paid quarterly out of the Treasury of the State in the same manner that salaries of circuit court judges are now paid; and shall be commissioned by the Governor.

§ 3. All equitable actions and proceedings prosecuted in the county of Daviess shall be prosecuted in said court. All ordinary actions and proceedings brought in the Daviess circuit court, and transferred to equity by that court, shall thereby be transferred to the Owensboro chancery



court; and the latter court shall have the same power and jurisdiction over them as if originally brought in that court.

§ 4. The clerk of the Daviess circuit court shall be *ex officio* the clerk of the Owensboro chancery court, and receive the same fees as for similar services now rendered; and the process of said court shall be the same as the process of the Daviess circuit court, and shall be directed and executed by the same officers to whom the process of the Daviess circuit court is now directed.

§ 5. The terms of said court shall begin on the first Mondays in February and August of each year, and continue eighteen juridical days each term. The chancellor shall have power to hold other terms of said court for the purpose of making the necessary orders, and taking the necessary steps in the preparation of cases to be fixed by the order of court at the previous terms; and he shall have power to adopt such rules of court as he shall deem conducive to the dispatch of business, but not inconsistent with the laws of this State.

§ 6. When from any cause the judge of the Daviess circuit court shall fail or be unable to attend and hold said court, the chancellor of the Owensboro chancery court shall hold the same; and if the circuit court, at any of its terms, shall fail to complete the trial of cases on the docket, it shall be the duty of the chancellor of the Owensboro chancery court to continue said term, and preside and try the remainder of the cases, he being notified that the business of the court has not been completed during the time allowed by law for holding said court.

§ 7. The clerk of the Daviess circuit court shall provide a seal for said court, and shall be its custodian; and its records shall be certified and authenticated in the same way that the records of circuit courts are. The clerk shall also provide all necessary record-books, to be paid for as the record books of circuit courts are now paid for.

§ 8. Actions in which the chancellor of the Owensboro chancery court cannot properly preside shall be transferred to the Daviess circuit court, and there proceed and be tried as cases when changes of venue are taken.

§ 9. This act shall take effect and be and remain in force from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative—not having received the majority required by the Constitution.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	S. H. Jenkins,	G. W. Swoope,
W. W. Culbertson,	R. B. Lovel,	E. W. Turner,
Andrew J. Ewing,	Sumner Marble,	Thos. W. Varnon,
Joseph Gardner,	Joseph B. Read,	W. L. Vories,
R. G. Hays,	Robert Simmons,	George Wright—16.
John Hyden,		

Those who voted in the negative, were—

James Blackburn,	James W. Hays,	P. A. Lyon,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler—8.
James B. Garnett,	J. R. Leslie,	

So said bill was rejected.

Mr. Garnett then moved to reconsider the vote by which said bill was rejected.

Which motion was simply entered.

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend chapter seventy-seven, title "Mills," of the General Statutes;

An act concerning the Kentucky High School;

An act in aid of colored schools in Hart county;

An act for the benefit of licensed owners of stud-horses, jacks, and bulls, in Madison and Garrard counties;

An act to amend section 52, article 2, chapter 39, of General Statutes;

An act to regulate the holding of the chancery, criminal, and circuit courts at Alexandria, in Campbell county, in the twelfth judicial district;

An act to authorize the city of Newport, Campbell county, to encourage manufactures;

An act to legalize certain proceedings and orders of the Caldwell county court;

An act to authorize the Carlisle and Jackstown Turnpike Road Company, upper route, in Nicholas county, to dispose of its purchased road-bed and right of way;

An act to amend an act, entitled "An act to amend an act, approved February 18th, 1860, to empower the county court of Bath county to make subscription to the capital stock of turnpike road companies," approved February 5th, 1868;

An act to amend an act, entitled "An act to incorporate the Kentucky Association for the Improvement of the Breed of Horses;"

An act to amend chapter ninety-two of the General Statutes, title "Revenue and Taxation;"

An act to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court;

Enrolled bills which originated in the House of Representatives of the following titles, viz :

An act for the benefit of E. F. Adkins, of Whitley county;

An act to authorize the Boyd county court to purchase the Ashland and Catlettsburg Turnpike;

An act to incorporate the Tollsboro Cemetery Company, of Lewis county;

An act to amend an act, entitled "An act to incorporate the Dreaming Creek Turnpike Road Company, in Madison county," approved March 15, 1871;

An act to amend an act, entitled "An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company," approved January 22, 1876;

An act to incorporate the Centennial Church of Colored Missionary Baptists, at Louisville, Kentucky;

An act authorizing the clerk of the Boyd circuit court to appoint a deputy, who may hold his office in Ashland;

An act to re-enact an act, entitled "An act to incorporate the North Middletown and Thatcher's Mill Turnpike Road Company," approved March 11th, 1869;

An act to incorporate Monroe Lodge, No. 103, I. O. O. F., at Milton, Kentucky;

An act to amend an act, entitled "An act to increase the jurisdiction of quarterly courts in Hickman and other counties," approved February 17th, 1874;

An act to incorporate the Dexter and Lowell Turnpike Road Company, in Mason county;

An act for the benefit of J. N. Shepperd, clerk of the Wayne circuit court;

An act to amend an act, entitled "An act to incorporate the Catholic Cemetery, of Lexington;"

An act to repeal an act, entitled "An act to establish and incorporate the town of Stroud City, in Muhlenburg county," approved March 19th, 1873;

An act to attach the farms and possessions of Jesse H. and Robert Baker, of Metcalfe county, to Cumberland county;

An act to amend an act, entitled "An act to incorporate the State Bank in Louisville," approved 6th March, 1876;

An act to authorize the city council of Frankfort to build a free bridge across the Kentucky river;

An act to incorporate Fleming Lodge, No. 30, Independent Order of Odd Fellows, Fleming county;



An act supplementary to the act to adopt the General Statutes;

An act for the benefit of the constable of the 3d district of Louisville;

An act for the benefit of Wm. Thierman;

An act for the benefit of James Logan, of Marion county;

An act to amend the charter of the town of Prestonville;

And had found the same truly enrolled.

Said bills having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act giving the sheriff of Franklin county the longer time of two months to pay into the Treasury the revenue of said county.

An act to amend chapter one hundred and sixty, Acts of 1873 and 1874.

An act to amend section two of article one, chapter twenty-eight, title "Court of Appeals," of the General Statutes.

An act to amend an act, entitled "An act to establish a criminal court in the 14th judicial district," approved March 13th, 1876.

An act for the benefit of Jos. D. Smith, committee of Rhoda Ray, an idiot of Laurel county.

An act to regulate the jurisdiction and trial of criminal and penal cases in Warren county.

An act to amend the charter of the city of Cynthiana.

An act to amend an act, entitled "An act to incorporate the Owingsville and Mt. Sterling Turnpike Road Company."

An act to authorize the county court of Marshall county to issue bonds to rebuild or enlarge the court-house.

An act for the benefit of Theodosia Wells, a pauper idiot of Logan county.

An act concerning the Codes of Practice.

With an amendment to the last named bill.

Mr. Marble moved to take up for consideration the amendments proposed by the House of Representatives to the last named bill.



Said amendments read as follows, viz :

"Amend the — section of the bill by striking out the word 'fifty,' and inserting in lieu thereof the words 'sixty-six and two thirds.'"

"Amend by striking out the words to 'each master commissioner,' in — section."

"Mr. Vories proposed to amend the first amendment proposed by the House of Representatives, by striking out the words 'sixty-six and two thirds,' and inserting in lieu thereof the words 'the lowest and best bidder.'"

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	Wm. Cassius Goodloe,	B. W. S. Huffaker,
W. W. Culbertson,	Duncan Harding,	J. R. Leslie,
Andrew J. Ewing,	James W. Hays,	W. L. Vories,
H. F. Finley,	R. G. Hays,	C. J. Walton,
Joseph Gardner,	George B. Hodge,	George Wright—16.
James B. Garnett,		

Those who voted in the negative were—

Thos. J. Barker,	R. B. Lovel,	J. H. Stanley,
James Blackburn,	P. A. Lyon,	G. W. Swoope,
Scott Brown,	Sumner Marble,	E. W. Turner,
W. A. Cunningham,	Joseph B. Read,	H. A. Tyler,
John Hyden,	Robert Simmons,	Thos. W. Varnon—15.

The question was then taken on the adoption of the amendment, as amended, and it was decided in the affirmative.

The question was then taken on the adoption of the second amendment proposed by the House of Representatives, and it was decided in the affirmative.

That they had passed bills of the following titles, viz :

1. An act to incorporate the Centennial Savings Association of Dayton, Campbell county.
2. An act to incorporate the Pioneer Building Association, No. 1, of Newport.
3. An act to incorporate the Licking Valley Building Association, No. 1, of Newport.
4. An act to incorporate the Grangers' Bank of Shelbyville.
5. An act to amend article eight, chapter ninety-two, of the General Statutes.

6. An act to amend the charter of the town of Nicholasville.
7. An act to incorporate the Covington Hotel Company.
8. An act for the benefit of J. N. Walker, clerk of the Johnson circuit court.
9. An act for the benefit of Elisha Bullock, committee for Emanuel Ferrill, a pauper idiot.
10. An act to incorporate the United German Mutual Aid Association of Kentucky.
11. An act to incorporate the Edgar Institute at Paris.
12. An act for the benefit of Thos. North, a pauper idiot of Boyle county.
13. An act for the benefit of the jailer of Lincoln county.
14. An act to regulate the times of holding the criminal court of Henry county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 1st, 2d, 3d, 4th, and 12th to the Committee on Banks and Insurance; the 5th and 6th to the Committee on General Statutes; the 7th to the Committee on the Judiciary; the 8th and 11th to the Committee on Courts of Justice; the 9th to the Committee on Claims; the 10th to the Committee on Religion and Morals, and the 13th and 14th to the Committee on Privileges and Election.

A message was also received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz:

An act for the benefit of Perry A. Cline, sheriff of Pike county.

An act to regulate the road law of Kenton county.

An act to incorporate the National Grange of the Patrons of Husbandry.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Vories, from the Committee on Banks and Insurance—

A bill to increase the jurisdiction of the police court in the town of Eminence, Henry county.

By Mr. Cleveland, from the Committee on Appropriations—

A bill to incorporate the Williamstown Masonic Hall Company.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to incorporate the town of Jeffersonville, in Montgomery county.

By same—

An act to authorize the county court of Elliott county to levy an ad valorem tax for bridge and road purposes.

By same—

An act to increase the jurisdiction of the quarterly court of Muhlenburg county.

By Mr. Hodge, from the Committee on Railroads—

An act to incorporate the Home Building and Savings Association of Newport.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of Joseph H. Davis, sheriff of Ballard county.

By same—

An act for the benefit of the sureties of L. F. Marshall for the years 1872-'3-'4.

By Mr. Wright, from the Committee on Finance—

An act for the benefit of the sheriff of Calloway county.

By Mr. Swoope, from the Committee on General Statutes and Codes of Practice—

An act for the benefit of S. M. Machen, of Lyon county.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

The Senate took up for consideration a motion heretofore made to reconsider the vote by which they had passed a bill from the House of Representatives, entitled

An act to fix the compensation of the militia when in actual service.

And the question being taken on reconsidering said vote, it was decided in the negative.

The Senate then took up for consideration

A bill to provide for a deduction of time from the terms of sentence of prisoners confined in the penitentiary.

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Tyler, from the Committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Company "E," First Regiment Kentucky State Guards,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor be, and he is hereby, directed to draw his warrant on the Treasurer for the following sums, in favor of the following named persons, officers and members of Company "E," 1st Regiment Kentucky State Guards, for services rendered under a call and by order of Hon. M. H. Owsley, judge of the 8th judicial district, to suppress insurrection in the county of Garrard, as follows: Captain W. S. Miller, \$24; Lieutenant Greenleaf, \$21; Lieutenant John F. White, \$27; James A. McGruel, Sergeant, \$22; F. D. Owsley, 2d Sergeant, \$8; Arch. Walker, 3d Sergeant, \$4; John H. Thompson, 4th Sergeant, \$14; E. D. Bishop, 5th Sergeant, \$8; Thomas K. Salter, Corporal, \$2; John T. Marrs, 2d Corporal, \$10; R. S. Haselder, 3d Corporal, \$12; John T. Denton, 4th Corporal, \$6; W. B. Arnold, \$7 50; Isaac Arnold, \$9; Geo. T. Arnold, \$1 50; J. C. A. Buford, \$10 50; Richard Brown, \$10 50; J. G. Burnside, \$1 50; Zack Blackoby, \$1 50; Geo. A. C. Griffen, \$6; Wm. Greenleaf, \$13 50; Harris Lewis, \$4 50; Edward C. Hopper, \$16 50; Wm. Jennings, \$4 50; Jas. Middleton, \$7 50; Jno. C. Morgan, \$4 50; Smith Mershon, \$10 50; John Mershon, \$7 50; W. P. Mason, \$12; Joel Owsley, \$15; James Patterson, \$1 50; W. O. Rigney, \$6; Jas. H. Stephens, \$3; W. H. Stephens, \$6; C. W. Sweeney, \$7 50; Henry Spratt, \$4 50; John Singleton, \$13 50;



H. L. Tate, \$9; James W. Tate, \$15; Thos. Wherrett, \$1 50; W. C. Wherrett, \$10 50; J. B. Weatherford, \$9; Jos. B. Wortham, \$9; C. F. White, \$7 50; Jos. Weisigher, \$9; Alexander Ware, \$9.

§ 2. *Be it further enacted*, That the Auditor be directed to draw his warrant on the Treasurer for the further sum of \$88, payable to Capt. W. S. Miller, for the purpose of paying for rations for the men above named while on duty.

§ 3. This act to take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	D. H. Lindsay,	C. J. Walton,
H. F. Finley,	R. B. Lovel,	George Wright—32.
Joseph Gardner,	P. A. Lyon,	

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Hodge, from the Committee on Railroads, to whom were referred a bill from the House of Representatives, entitled

An act to incorporate the Louisville and Paducah Railroad Company,

Reported the same without amendment.

Said bill reads as follows, viz:

WHEREAS, There is now pending in the circuit court of the United States for the district of Kentucky, at Louisville, certain causes in equity, the object of which is to foreclose certain mortgages upon the property, rights and franchises of the Louisville, Paducah, and Southwestern Railway Company; and whereas, it is expected that the said property, rights and franchises of said railroad company will be sold under decree of said court; and whereas, it is represented that the holders of mortgage bonds are willing to make some arrangement with stockholders whereby some interest in the property, rights and franchises of said railroad company may be saved to said stockholders; therefore,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That L. M. Flourney and Q. Q. Quigley, of the county of McCracken; F. H. Skinner and W. B. Machen, of the county of Lyon

R. B. Ratcliff and Hugh McNairy, of the county of Caldwell ; J. H. Reno and F. B. Hancock, of the county of Muhlenburg ; Evan Rogers and W. L. Conklin, of the county of Grayson ; A. M. Brown and Robert Murray, of the town of Elizabethtown ; Charles D. Jacob and James Trabue, of the city of Louisville, be, and they are hereby, created into a body corporate and politic, with power to sue and be sued, contract and be contracted with, to have and use a common seal, and to transact a general railroad business, under the corporate name of the Louisville and Paducah Railroad Company.

§ 2. That the corporation created by this act is hereby authorized and empowered to purchase, own, use, enjoy, and operate the property, rights and franchises of the Louisville, Paducah, and Southwestern Railroad Company, from any purchaser or purchasers thereof at the decretal sale thereof referred to in the preamble of this act, upon such terms as may be agreed upon ; and upon the consummation of said purchase by the corporation hereby created, it shall become fully invested with all the chartered rights and privileges of the said Louisville, Paducah, and Southwestern Railroad Company, as conferred by the charter and amendments thereto.

§ 3. In order to enable the corporation created by this act to complete said purchase and pay the consideration agreed upon, and to operate and maintain said railroad, it shall be lawful for it to borrow money ; to issue and sell mortgage bonds, providing for priorities among said bonds and mortgages as it may deem best ; agreeing to pay interest at the rate not exceeding eight per cent. per annum, payable half yearly ; bonds having not longer than thirty years to run ; and may secure the same by mortgages having the priorities deemed best, upon the income or property, rights and franchises of the company ; may issue and sell preferred stock, agreeing to pay interest thereon not exceeding six per cent. per annum, payable half yearly, out of earnings, after operating expenses and interest on bonded debt have been paid, sufficient to pay debts of the Louisville, Paducah, and Southwestern Railroad Company, due for construction and operation, which have been adjudged to have no lien upon its property, rights and franchises ; also to issue and sell common stock on terms and prices to be fixed by stockholders ; but the purchase contemplated by this act shall only be consummated upon terms which will admit the old stockholders of the Louisville, Paducah, and Southwestern Railroad Company, whether counties, cities, towns, or individuals, as stockholders in this corporation, to the same number of shares held by them respectively in said L., P. & S. W. R. R. Co., and without any further payment therefor ; and the company hereby created may pay the prices agreed to be paid for the property, rights and franchises of said L., P. & S. W. R. R. Co., in such mortgage bonds, on terms and at prices to be agreed upon, and may contract to allow the holders of said bonds so used to vote the same at all meetings of stockholders as if common stock, each one hundred dollars in bonds entitling the holder to one vote, which privilege of voting said bonds shall be extended for such time and on such terms and conditions as may be agreed upon.

§ 4. It is expressly enacted and provided that this charter is granted only for the purpose of enabling those in interest to reorganize and carry out the original design ; and if the purchase contemplated herein is not effected within three years from the passage of this act, then this act expires and becomes of no effect.

§ 5. The persons named herein as corporators are hereby declared to constitute a board of directors for this company for one month after the

formal organization of the company, and they have the power to elect a president, secretary, and such other officers and agents as they deem proper; and said corporators are also appointed commissioners to represent and vote the stock owned and to be owned by the counties, towns, and cities from which they are named in the first section of this act. After the expiration of said month, directors shall be elected as provided in the charter of said L., P. & S. W. R. R. Co. and amendments. If any of said corporators fail to act or cease to act from any cause, the county courts of the several counties shall fill such vacancies, and the board of trustees of Elizabethtown, and the mayor and council of Louisville, shall in like manner fill vacancies occurring among the corporators representing them respectively.

§ 6. No further additional tax shall be voted by counties having stock in said company for the purpose of subscribing to the capital stock of said company.

§ 7. The commissioners of the sinking fund in the counties having stock in said company shall be appointed by the court of claims of the several counties.

§ 8. That should the purchasers of the property, rights and franchises of said Louisville, Paducah, and Southwestern Railroad Company agree to such terms as will admit the stockholders in said company as stockholders in the company hereby created, then the State of Kentucky hereby releases all claims to taxes past due.

§ 9. This act to be in force from and after its passage.

Mr. J. W. Hays moved to amend said bill by striking out the words "and the board of trustees of Elizabethtown."

Mr. Turner moved to amend said bill by striking out the eighth section thereof.

Mr. Berry moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. J. W. Hays, and it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Turner, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cunningham and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Andrew J. Ewing,	R. B. Lovel,
Robert A. Briggs,	H. F. Finley,	Robert Simmons,
Scott Brown,	Joseph Gardner,	G. W. Swoope,
W. A. Cunningham,	Duncan Harding,	E. W. Turner—12.

Those who voted in the negative, were—

Pollock Barbour,	B. W. S. Huffaker,	J. H. Stanley,
Wm. J. Berry,	John Hyden,	H. A. Tyler,
James Blackburn,	J. R. Leslie,	Thos. W. Varnon,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,



James B. Garnett,	Sumner Marble,	C. J. Walton,
J. W. Hays,	Joseph B. Read,	George Wright—19.
R. G. Hays,		

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Turner and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
James B. Garnett,	D. H. Lindsay,	C. J. Walton,
Wm. Cassius Goodloe,	P. A. Lyon,	George Wright—24.

Those who voted in the negative, were—

Thos. J. Barker,	H. F. Finley,	Robert Simmons,
Scott Brown,	Joseph Gardner,	G. W. Swoope,
W. A. Cunningham,	George B. Hodge,	E. W. Turner—11.
Andrew J. Ewing,	R. B. Lovel,	

Said bill was read a third time.

Mr. Read then moved that said bill be made the special order of the day for to-morrow, at 10 o'clock, A. M.

And the question being taken on the adoption of said motion, it was decided in the negative—not having received the required two-thirds majority.

The yeas and nays being required thereon by Messrs. Lovel and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	J. H. Stanley,
Wm. J. Berry,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. W. Culbertson,	J. R. Leslie,	W. L. Vories,
James B. Garnett,	D. H. Lindsay,	C. J. Walton,
Wm. Cassius Goodloe,	Sumner Marble,	George Wright—20.
Duncan Harding,	Joseph B. Read,	

Those who voted in the negative, were—

Thos. J. Barker,	Andrew J. Ewing,	P. A. Lyon,
James Blackburn,	H. F. Finley,	Robert Simmons,
Robert A. Briggs,	Joseph Gardner,	G. W. Swoope,
Scott Brown,	George B. Hodge,	E. W. Turner—14.
W. A. Cunningham,	R. B. Lovel,	

And then the Senate adjourned.



SATURDAY, MARCH 18, 1876.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend an act, entitled "An act for the benefit of turn-pike roads in Scott county," approved March 21, 1872.

An act conferring certain powers on the board of trustees of the town of Hazelgreen, Wolfe county.

An act to incorporate Hawesville Lodge, No. 91, Independent Order of Odd Fellows.

An act to provide for the levy and collection of a tax upon dogs, and to protect the rights of the owners thereof in certain counties.

An act to incorporate the town of Spottsville, in Henderson county.

An act for the benefit of John Roberts, of Henry county.

An act to change the time of holding courts of Pulaski county, in the 8th judicial district.

An act for the benefit of J. W. Crane and others, of Fleming county.

An act to further amend the several acts in relation to the town of Carlisle, in Nicholas county.

An act in aid of common schools of Grayson county.

An act to incorporate the Turnersville and Vandiver's Turnpike Road Company, in Lincoln county.

An act to incorporate the Springfield and Bradfordsville Turnpike Road Company.

An act for the benefit of John C. Evans, late deputy sheriff and tax collector of Hickman county.

An act to incorporate the Literary and Benevolent Society of St. Mary of the Angels.

That they had disagreed to bills which originated in the Senate, of the following titles, viz :

An act for the benefit of Alexander Litton, Jeremiah Meadows, Jeremiah Jones, L. J. Steely, G. W. Patrick, and Nathaniel Walker.

An act for the benefit of Ambrose W. Dudley.

That they had concurred in the amendment proposed by the Senate to the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act concerning the Codes of Practice,

With an amendment thereto.

Which was taken up, twice read, and concurred in.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of Hezekiah McKeehan, committee for Isaac McKeehan, pauper lunatic, of Whitley county.

An act to provide for the payment of expenses incurred in the investigation of charges preferred against Senator George B. Hodge.

An act incorporating the Supreme Lodge of the Knights of Honor.

An act to incorporate the Louisville Rugby School of the city of Louisville.

An act to amend an act to establish a board of commissioners of taxes and assessments for the city of Louisville, approved February 17, 1866.

An act to incorporate the Williamstown Masonic Hall Company.

An act to change the time of holding the quarterly courts for the county of Madison.

An act to amend article 16, chapter 92, of the General Statutes.

That they had passed bills of the following titles, viz :

1. An act to amend an act, entitled "An act to incorporate the Kentucky Mutual Benefit Association of Physicians," approved March 21, 1871.

2. An act for the benefit of J. M. Davis, of Lincoln county.

3. An act to incorporate Cassius Shell Basil Lodge, No. 113, of Louisville.

4. An act to incorporate the Louisville Association for the Improvement of Live Stock.

5. An act to amend the charter of the Louisville Banking Company, of the city of Louisville, approved January 24, 1867.

6. An act to amend article 3 of chapter 14 of the General Statutes.

7. An act for the benefit of the coroner of Jefferson county.

8. An act to incorporate Phœnix Lodge, No. 196, I. O. O. F., of Louisville.

9. An act for the appropriation of money.

10. An act to provide for liens for laboring men and supply men.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with, they were referred—the 2d to the Committee on Privileges and Elections; the 3d to the Committee on Religion and Morals; the 4th and 7th to the Committee on Finance; the 5th to the Committee on Banks and Insurance; the 6th to the Committee on General Statutes and Codes of Practice; the 8th to the Committee on Education; the 9th to the Committee on Claims; the 10th to the Committee on the Judiciary, and the 1st was ordered to be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Barker, from the Committee on Internal Improvement—

An act to exempt the citizens from road tax north of Green river, in Henderson county, and require them to work on said road.

By same—

An act to improve roads in Butler county.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of G. B. Dockery, of Butler county.

By same—

An act for the benefit of Elisha Bullock, committee for Emanuel Ferrill, a pauper idiot.

By Mr. Jenkins, from the Committee on Internal Improvement—

An act to provide for the building turnpike roads in Todd county.

By Mr. Stanley, from the Committee on Religion and Morals—

An act for the benefit of C. B. Snell, of Warren county.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to incorporate the Grangers' Bank of Shelbyville.

By Mr. Wright, from the Committee on Finance—

An act authorizing the Pulaski county court to agree upon the compensation to the sheriff or tax collector of said county for the years 1876-'7.

By Mr. Lovel, from the Committee on Propositions and Grievances—

An act to change the line between the counties of Whitley and Laurel.

By Mr. Vories, from the Committee on Banks and Insurance—

An act to regulate the times of holding the criminal court of Henry county.

By Mr. Cunningham, from the Committee on the Judiciary—

An act to incorporate the town of Stanton, in Powell county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate the Mt. Carmel Roman Catholic Cemetery, of Paducah.

By same—

An act to incorporate the Elizaville Cemetery Company, Fleming county.

Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of Joseph Rutherford, late sheriff of Jessamine county.

By same—

An act to amend section one hundred and three of an act, entitled "An act establishing a new charter for the city of Louisville."

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to incorporate the Bethel and Eagle Valley Turnpike Road Company.

By Mr. Cleveland, from the Committee on Appropriations—

An act to change the name of the Falmouth Cemetery.

By Mr. Harding, from the Committee on Religion and Morals—

An act to incorporate Taylor Lodge, No. 164, of Free and Accepted Masons, of Colemansville, Harrison county.

By Mr. Read, from the Committee on Education—

An act for the benefit of school district No. 13, in Morgan county.

By same—

An act to incorporate the Farmers' Home Journal Company, of Louisville.

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act for the benefit of Samuel Tate, of Pulaski county.

By Mr. Cunningham, from the Committee on Courts of Justice—

An act to legalize certain sales made under the decrees of the Pike circuit court.



By Mr. Read, from the Committee on Education—

An act for the benefit of school district No. 1, in Oldham county.

By Mr. Brown, from the Committee on Internal Improvement—

An act authorizing the president and three directors to lease the Bardstown and Springfield Turnpike Road to Sanford Cutsinger or others.

By Mr. Simmons, from the Committee on the Judiciary—

An act to incorporate the Covington Hotel Company.

With an amendment to the last named bill.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Briggs, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the appropriation of money,

Reported the same without amendment.

*Ordered*, That said bill be made the special order of the day for 8 P. M.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz :

By Mr. J. W. Hays, from the Committee on the Judiciary—

A bill to charter the town of Port Royal, in Henry county.

By same—

A bill to incorporate the town of New Campbellsburg, in Henry county.

By same—

A bill to amend chapter 24 of the General Statutes.

By Mr. Culbertson, from the Committee on Finance—

A bill to pay jurors, summoned by order of the Lincoln county court, to try the right of way and the Cincinnati Southern Railway.

By Mr. Blackburn, from the Committee on Charitable Institutions—

A bill to amend the charter of the city of Newport, creating medical districts.

By Mr. Brown, from the Committee on Internal Improvement—

A bill to amend the charter of the South Side Turnpike Road Company, of Franklin county.

By Mr. Lovel, from the Committee on Propositions and Grievances—

A bill to amend the charter of the city of Bowling Green.

By Mr. R. G. Hays, from the Committee on Finance—

A bill legalizing the conveyance executed by James G. Balle, late deputy marshal of the Louisville chancery court, to D. S. Benedict and Samuel Nock.

By Mr. Barker, from the Committee on the Judiciary—

A bill directing the Secretary of State to furnish certain books for the use of the commissoner's office of the Louisville chancery court.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

A message was received from the Governor by Mr. Bronston, Assistant Secretary of State, announcing that the Governor had approved and signed enrolled bills, which originated in the Senate, of the following titles, viz :

An act to amend an act, entitled "An act to amend an act, approved February 18th, 1860, to empower the county court of Bath county to make subscription to the capital stock of turnpike road companies," approved February 5th, 1868.

An act to legalize certain proceedings and orders of the Caldwell county court.

An act to amend chapter ninety-two of the General Statutes, title "Revenue and Taxation."

An act to authorize the city of Newport, Campbell county, to encourage manufactures.

An act to authorize the Carlisle and Jackstown Turnpike Road Company, upper route, in Nicholas county, to dispose of its franchises, road-bed, and right of way.

An act to amend section 52, article 2, chapter 39, of General Statutes.

An act to make taxation equal and uniform in counties where an ad valorem tax is levied by the county court.

An act for the benefit of licensed owners of stud-horses, jacks, and bulls, in Madison and Garrard counties.

An act to amend an act, entitled "An act to incorporate the Kentucky Association for the Improvement of the Breed of Horses."

An act to amend chapter seventy-seven, title "Mills," of the General Statutes.

An act to regulate the holding of the chancery, criminal, and circuit courts at Alexandria, in Campbell county, in the twelfth judicial district.

An act in aid of colored schools in Hart county.

An act concerning the Kentucky High School.

An act to authorize the city of Lawrenceburg, Indiana, to purchase ferry in Boone county, opposite said city.

An act for the benefit of M. B. Cox, late sheriff of Morgan county, and his sureties.

Mr. Briggs, from the Committee on Claims, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of the jailer of Daviess county,

Reported the same with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	G. W. Swoope,
Andrew J. Ewing,	D. H. Lindsay,	E. W. Turner,
Joseph Gardner,	Sumner Marble,	Thos. W. Varnon,
James B. Garnett,	Joseph B. Read,	C. J. Walton—17.
Duncan Harding,	Robert Simmons,	

Those who voted in the negative, were—

Pollock Barbour,	W. A. Cunningham,	R. B. Lovel,
Thos. J. Barker,	H. F. Finley,	P. A. Lyon,
James Blackburn,	James W. Hays,	H. A. Tyler,
Robert A. Briggs,	S. H. Jenkins,	W. L. Vories,
F. L. Cleveland,	J. R. Leslie,	George Wright—16.
W. W. Culbertson,		



Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That in addition to the allowance now authorized by law to be made to the jailer of Daviess county, for attendance upon the circuit court of said county, and providing fuel, lights, and water therefor, said court be, and it is hereby, authorized to allow said jailer not exceeding three dollars per day for each day he attends upon said court.

§ 2. This act shall be in force from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	Robert Simmons,	W. L. Vories,
R. G. Hays,	J. H. Stanley,	C. J. Walton,
George B. Hodge,	G. W. Swoope,	George Wright—11.
Joseph B. Read,	Thos. W. Varnon,	

Those who voted in the negative were—

Pollock Barbour,	W. A. Cunningham,	J. R. Leslie,
Thos. J. Barker,	Andrew J. Ewing,	R. B. Lovel,
Wm. J. Berry,	H. F. Finley,	P. A. Lyon,
James Blackburn,	Joseph Gardner,	Sumner Marble,
Robert A. Briggs,	James B. Garnett,	E. W. Turner,
F. L. Cleveland,	James W. Hays,	H. A. Tyler—20.
W. W. Culbertson,	S. H. Jenkins,	

So said bill was disagreed to.

Mr. Lindsay was appointed a committee on the part of the Senate, to act in conjunction with a similar committee from the House of Representatives, to withdraw, unsigned, from the hands of the Governor a bill, which originated in the Senate, and that had passed the two Houses, entitled

An act to prohibit the sale of spirituous, vinous, or malt liquors within two miles of Corinth Church, in Grant county.

After a short time, Mr. Lindsay reported that the committee had performed the duty assigned them, and that said bill had been returned to the House of Representatives.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to amend the charter of the city of Hopkinsville.

And the question being taken on concurring in said amendment, it was decided in the affirmative.



The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to provide for the improvement of public roads in Hart county.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to establish a criminal court in the 6th judicial district and Hardin county," approved 23d February, 1876, and to add Taylor county to said criminal and judicial district,

Reported the same without amendment.

Mr. Walton moved to recommit said bill to the Committee on Courts of Justice.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Walton and Finley, were as follows, viz:

Those who voted in the affirmative, were—

Wm. J. Berry,	B. W. S. Huffaker,	C. J. Walton,
H. F. Finley,	John Hyden,	George Wright—8.
Wm. Cassius Goodloe,	Thos. W. Varnon,	

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories—27.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Walton and Finley, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Sumner Marble,
Wm. J. Berry,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,

Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	John Hyden,	G. W. Swoope,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. W. Culbertson,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories—31.
Joseph Gardner,		

Those who voted in the negative, were

H. F. Finley,	B. W. S. Huffaker,	George Wright—5.
Wm. Cassius Goodloe,	C. J. Walton,	

Said bill was read a third time as follows, viz :

[*For bill, see Acts present session.*]

Mr. Briggs moved to suspend the rule of the Senate in order to put said bill on its passage.

Which motion was adopted.

The yeas and nays being required thereon by Messrs. Walton and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories—29.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

W. W. Culbertson,	Wm. Cassius Goodloe,	C. J. Walton,
H. F. Finley,	B. W. S. Huffaker,	George Wright—6.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Briggs moved to reconsider the vote by which the Senate had passed said bill.

Mr. J. W. Hays moved to lay that motion on the table.

Which motion was adopted.

The yeas and nays being required thereon by Messrs. Finley and Walton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	Sumner Marble,
Thos. J. Barker,	James W. Hays,	Robert Simmons,
James Blackburn,	R. G. Hays,	J. H. Stanley,

Robert A. Briggs,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	S. H. Jenkins,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	George Wright—26.
James B. Garnett,	P. A. Lyon,	

Those who voted in the negative, were—

W. W. Culbertson,	B. W. S. Huffaker,	W. L. Vories,
H. F. Finley,	Joseph B. Read,	C. J. Walton—7.
Wm. Cassius Goodloe,		

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act for the benefit of H. S. Percival, sheriff of Kenton county.

Said amendment reads as follows, viz :

“Strike out ‘seventy-five dollars,’ and insert in lieu thereof ‘two hundred and eleven dollars and forty cents.’”

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
Scott Brown,	R. G. Hays,	G. W. Swoope,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
Andrew J. Ewing,	D. H. Lindsay,	W. L. Vories—20.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Thos. J. Barker,	James W. Hays,	Sumner Marble,
Wm. J. Berry,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton,
H. F. Finley,	J. R. Leslie,	George Wright—14.
James B. Garnett,	R. B. Lovel,	

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Louisville Abstract and Loan Association.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Walton moved the following resolution, viz :

*Resolved*, That when the Senate adjourns at 2 o'clock, P. M., it will adjourn to meet again at 3½ o'clock, P. M., and adjourn at 6 o'clock, P. M., to meet at 7½ o'clock, P. M.

Which was adopted.

The Senate resumed the consideration of the unfinished report from the Committee on Agriculture and Manufactures, it being a bill from the House of Representatives, entitled

An act to establish a Bureau of Agriculture, Horticulture, and Statistics.

Mr. Swoope moved to amend said bill by striking out the word "political" wherever it occurs therein.

And the question being taken on the adoption of said amendment it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
James W. Hays,	G. W. Swoope,	George Wright—6.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton—26.
Joseph Gardner,	P. A. Lyon,	

Mr. Wright moved to amend said bill by striking out twenty-five hundred dollars wherever it occurs therein, and inserting in lieu thereof two thousand dollars.

Mr. Briggs moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the amendment proposed by Mr. Wright, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Wright and Huffaker, were as follows, viz :

Those who voted in the affirmative, were—

W. A. Cunningham,	George B. Hodge,	J. H. Stanley,
Andrew J. Ewing,	B. W. S. Huffaker,	G. W. Swoope,



H. F. Finley,	J. R. Leslie,	H. A. Tyler,
James B. Garnett,	Sumner Marble,	George Wright—13.
James W. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	W. W. Culbertson,	P. A. Lyon,
Thos. J. Barker,	Joseph Gardner,	Joseph B. Read,
Wm. J. Berry,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	Thos. W. Varnon,
Scott Brown,	S. H. Jenkins,	W. L. Vories,
F. L. Cleveland,	R. B. Lovel,	C. J. Walton—21.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	R. G. Hays,	E. W. Turner,
Robert A. Briggs,	Geo. B. Hodge,	H. A. Tyler,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	R. B. Lovel,	W. L. Vories,
W. A. Cunningham,	P. A. Lyon,	C. J. Walton—24.

Those who voted in the negative, were—

Andrew J. Ewing,	B. W. S. Huffaker,	G. W. Swoope,
H. F. Finley,	J. R. Leslie,	George Wright—7.
James W. Hays,		

Said bill was read a third time as follows, viz :

[*For bill, see Acts present session.*]

The question was then taken on suspending the rule of the Senate in order to put said bill on its passage, and it was decided in the negative—not having received the required four-fifths majority.

The yeas and nays being required thereon by Messrs. Wright and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	James B. Garnett,	Joseph B. Read,
Wm. J. Berry,	Wm. Cassius Goodloe,	Robert Simmons,
James Blackburn,	Duncan Harding,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
Scott Brown,	George B. Hodge,	Thos. W. Varnon,
F. L. Cleveland,	John Hyden,	W. L. Vories,
W. W. Culbertson,	R. B. Lovel,	C. J. Walton—26.
W. A. Cunningham,	P. A. Lyon,	

Those who voted in the negative, were—

Andrew J. Ewing,	B. W. S. Huffaker,	G. W. Swoope,
H. F. Finley,	J. R. Leslie,	George Wright—8.
James W. Hays,	J. H. Stanley,	

Mr. Berry moved to postpone the further consideration of said bill until Monday, at 10½, A. M.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
Wm. J. Berry,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	George B. Hodge,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	W. L. Vories,
W. A. Cunningham,	S. H. Jenkins,	C. J. Walton—26.
Joseph Gardner,	D. H. Lindsay,	

Those who voted in the negative, were—

W. W. Culbertson,	B. W. S. Huffaker,	J. H. Stanley,
Andrew J. Ewing,	J. R. Leslie,	G. W. Swoope,
H. F. Finley,	R. B. Lovel,	George Wright—9.

The Senate took up for consideration

A bill to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.

Mr. Swoope moved to reconsider the vote by which the previous question had been ordered.

Which motion was adopted.

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Swoope then moved to fill the blank in the seventh line of the fifth section with the word "seventy."

Which motion was adopted.

Mr. Blackburn moved to amend said bill as follows, viz : "

"1st. Strike out all of third section after the word 'terms' in the fifth line.

"2d. Add to section nine the following : 'And that the contracts for building shall be open and free to all bidders and upon equal terms.'

"3d. Strike out the words 'one hundred and twenty thousand,' in the fourth section, and insert in lieu thereof the words 'twenty-five thousand.'"

Mr. Swoope moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the first amendment proposed by Mr. Blackburn, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. A. Cunningham,	B. W. S. Huffaker,
Thos. J. Barker,	H. F. Finley,	P. A. Lyon,
Wm. J. Berry,	James B. Garnett,	Sumner Marble,
James Blackburn,	Wm. Cassius Goodloe,	H. A. Tyler,
Robert A. Briggs,	George B. Hodge,	George Wright—16.
F. L. Cleveland,		

Those who voted in the negative, were—

Scott Brown,	John Hyden,	J. H. Stanley,
W. W. Culbertson,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	E. W. Turner,
Joseph Gardner,	D. H. Lindsay,	Thos. W. Varnon,
Duncan Harding,	R. B. Lovel,	W. L. Vories,
J. W. Hays,	Joseph B. Read,	C. J. Walton—20.
R. G. Hays,	Robert Simmons,	

The question was then taken on the adoption of the second amendment proposed by Mr. Blackburn, and it was decided in the affirmative.

The question was then taken on the adoption of the third amendment proposed by Mr. Blackburn, and it was decided in the affirmative by the casting vote of the Speaker, Hon. John C. Underwood.

The yeas and nays being required thereon by Messrs. Berry and Barker, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	W. W. Culbertson,	George B. Hodge,
Thos. J. Barker,	W. A. Cunningham,	B. W. S. Huffaker,
Wm. J. Berry,	H. F. Finley,	P. A. Lyon,
James Blackburn,	James B. Garnett,	Sumner Marble,
Robert A. Briggs,	Wm. Cassius Goodloe,	H. A. Tyler,
F. L. Cleveland,	James W. Hays,	George Wright—18.

Those who voted in the negative, were—

Scott Brown,	S. H. Jenkins,	J. H. Stanley,
Andrew J. Ewing,	J. R. Leslie,	G. W. Swoope,
Joseph Gardner,	D. H. Lindsay,	E. W. Turner,

Duncan Harding,	R. B. Lovel,	Thos. W. Varnon,
R. G. Hays,	Joseph B. Read,	W. L. Vories,
John Hyden,	Robert Simmons,	C. J. Walton—18.

The vote on the above amendment being a tie, Mr. Speaker Underwood cast his vote in the affirmative.

Mr. Swoope then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Briggs, were as follows, viz :

Those who voted in the affirmative, were—

W. W. Culbertson,	Sumner Marble,	G. W. Swoope—3.
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Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thomas J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
Scott Brown,	B. W. S. Huffaker,	H. A. Tyler,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—32.
Joseph Gardner,	R. B. Lovel,	

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	E. W. Turner,
W. A. Cunningham,	J. R. Leslie,	H. A. Tyler,
Andrew J. Ewing,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	W. L. Vories,
Wm. Cassius Goodloe,	P. A. Lyon,	C. J. Walton,
Duncan Harding,	Joseph B. Read,	George Wright—24.

Those who voted in the negative, were—

Thos. J. Barker,	W. W. Culbertson,	B. W. S. Huffaker,
Wm. J. Berry,	H. F. Finley,	Sumner Marble,



James Blackburn, James B. Garnett, G. W. Swoope—11.  
Robert A. Briggs, George B. Hodge,

*Resolved*, That the title of said bill be as aforesaid.

Mr. Goodloe moved to suspend the rule in order to take up a bill from the House of Representatives, entitled

An act to amend article eleven, chapter twenty-nine, of the General Statutes.

And the question being taken on the adoption of said motion, it was decided in the negative

The yeas and nays being required thereon by Messrs. Finley and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	B. W. S. Huffaker,	Thos. W. Varnon,
F. L. Cleveland,	J. R. Leslie,	W. L. Vories,
James B. Garnett,	Joseph B. Read,	George Wright—11.
Wm. Cassius Goodloe,	H. A. Tyler,	

Those who voted in the negative, were—

Thos. J. Barker,	Joseph Gardner,	P. A. Lyon,
James Blackburn,	James W. Hays,	Sumner Marble,
Scott Brown,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	G. W. Swoope,
Andrew J. Ewing,	D. H. Lindsay,	E. W. Turner,
H. F. Finley,	R. B. Lovel,	C. J. Walton—21.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend chapter 90 of the General Statutes, title "Public Printing and Binding."

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Joseph B. Read,
Thos. J. Barker,	George B. Hodge,	Robert Simmons,
James Blackburn,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	E. W. Turner,
Duncan Harding,	R. B. Lovel,	Thos. W. Varnon—20.
James W. Hays,	P. A. Lyon,	

Those who voted in the negative, were—

Robert A. Briggs,	Joseph Gardner,	Sumner Marble,
F. L. Cleveland,	James B. Garnett,	H. A. Tyler,
W. W. Culbertson,	Wm. Cassius Goodloe,	W. L. Vories,

Andrew J. Ewing,	B. W. S. Huffaker,	C. J. Walton,
H. F. Finley,	J. R. Leslie,	George Wright—15.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to amend article 11, chapter 29, of the General Statutes.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Barker and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	George B. Hodge,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	J. R. Leslie,	G. W. Swoope,
F. L. Cleveland,	D. H. Lindsay,	E. W. Turner,
W. A. Cunningham,	P. A. Lyon,	W. L. Vories,
Wm. Cassius Goodloe,	Joseph B. Read,	George Wright—19.
James W. Hays,		

Those who voted in the negative, were

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	H. A. Tyler,
W. W. Culbertson,	R. G. Hays,	Thos. W. Varnon,
Andrew J. Ewing,	S. H. Jenkins,	C. J. Walton—14.
Joseph Gardner,	R. B. Lovel,	

Mr. Goodloe moved to reconsider the vote by which the Senate had passed said bill.

Mr. Turner moved to lay that motion on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	W. A. Cunningham,	P. A. Lyon,
Robert A. Briggs,	Wm. Cassius Goodloe,	G. W. Swoope,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	George Wright—12.

Those who voted in the negative, were—

Pollock Barbour,	James W. Hays,	Joseph B. Read,
Thos. J. Barker,	R. G. Hays,	Robert Simmons,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
Andrew J. Ewing,	S. H. Jenkins,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	W. L. Vories,
James B. Garnett,	Sumner Marble,	C. J. Walton—22.
Duncan Harding,		

The question was then taken on reconsidering the vote by which the Senate had passed said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Briggs and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Thos J. Barker,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	S. H. Jenkins,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	W. L. Vories,
James B. Garnett,	Sumner Marble,	C. J. Walton—23.
Duncan Harding,	Joseph B. Read,	

Those who voted in the negative, were—

James Blackburn,	W. A. Cunningham,	P. A. Lyon,
Robert A. Briggs,	Wm. Cassius Goodloe,	G. W. Swoope,
Scott Brown,	George B. Hodge,	George Wright—11.
F. L. Cleveland,	B. W. S. Huffaker,	

The vote dispensing with the third reading of said bill, as also that ordering it to be read a third time, were reconsidered.

Mr. Walton then moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Cunningham and Walton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	H. A. Tyler,
W. W. Culbertson,	R. G. Hays,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—13.
H. F. Finley,		

Those who voted in the negative, were—

James Blackburn,	George B. Hodge,	Joseph B. Read,
Robert A. Briggs,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	S. H. Jenkins,	G. W. Swoope,
W. A. Cunningham,	J. R. Leslie,	E. W. Turner,
James B. Garnett,	D. H. Lindsay,	W. L. Vories,
Wm. Cassius Goodloe,	P. A. Lyon,	George Wright—22.
James W. Hays,		

Mr. Read then moved to amend said bill by striking out the word "twenty" wherever it occurs therein, and insert in lieu thereof the word "twelve."

Mr. Lovel moved to amend the amendment proposed by Mr. Read by striking out the word "twelve," and insert the word "ten."

And the question being taken on the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Lovel and Stanley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
W. W. Culbertson,	S. H. Jenkins,	Thos. W. Varnon,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton—26.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative were—

F. L. Cleveland,	B. W. S. Huffaker,	G. W. Swoope,
Wm. Cassius Goodloe,	D. H. Lindsay,	George Wright—8.
R. G. Hays,	J. H. Stanley,	

The question was then taken on the adoption of the amendment proposed by Mr. Read, as amended, and it was decided in the affirmative.

The question was then taken on ordering said bill to be read a third time, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Barker, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	George B. Hodge,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	George W. Swoope,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	W. L. Vories,
Wm. Cassius Goodloe,	Joseph B. Read,	George Wright—22.
James W. Hays,		

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
Thos. J. Barker,	Joseph Gardner,	Sumner Marble,
W. W. Culbertson,	Duncan Harding,	H. A. Tyler,
Andrew J. Ewing,	R. G. Hays,	C. J. Walton—12.

Said bill was read a third time as follows, viz :

[For bill, see *Senate Journal March 15th, 1876.*]



The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had rejected a bill, entitled

An act to create the Owensboro chancery court.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	John Hyden,	G. W. Swoope,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
H. F. Finley,	R. B. Lovel,	W. L. Vories,
James B. Garnett,	Sumner Marble,	C. J. Walton,
Wm. Cassius Goodloe,	Joseph B. Read,	George Wright—18.

Those who voted in the negative, were—

James Blackburn,	Andrew J. Ewing,	P. A. Lyon,
Robert A. Briggs,	James W. Hays,	E. W. Turner,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler—11.
W. W. Culbertson,	J. R. Leslie,	

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	John Hyden,	J. H. Stanley,
Scott Brown,	S. H. Jenkins,	G. W. Swoope,
H. F. Finley,	D. H. Lindsay,	Thos. W. Varnon,
Joseph Gardner,	R. B. Lovel,	W. L. Vories,
Wm. Cassius Goodloe,	Sumner Marble,	C. J. Walton,
George B. Hodge,	Joseph B. Read,	George Wright—20.
B. W. S. Huffaker,	Robert Simmons,	

Those who voted in the negative, were—

James Blackburn,	Andrew J. Ewing,	J. R. Leslie,
Robert A. Briggs,	James B. Garnett,	P. A. Lyon,
F. L. Cleveland,	Duncan Harding,	E. W. Turner,
W. W. Culbertson,	J. W. Hays,	H. A. Tyler—14.
W. A. Cunningham,	R. G. Hays,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Harding withdrew the motion heretofore made by himself to reconsider the vote by which the Senate had disagreed to a bill from the House of Representatives, entitled

An act to amend an act, entitled "An act to incorporate the Mt. Sterling Coal Road Company."

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had rejected a bill, entitled  
An act for the benefit of Warren county.

And the question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the negative—not having received the majority required by the Constitution.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	J. H. Stanley,
Wm. J. Berry,	B. W. S. Huffaker,	G. W. Swoope,
Robert A. Briggs,	John Hyden,	Thos. W. Varnon,
F. L. Cleveland,	D. H. Lindsay,	W. L. Vories,
W. W. Culbertson,	Joseph B. Read,	C. J. Walton,
Joseph Gardner,	Robert Simmons,	George Wright—18.

Those who voted in the negative, were—

Thos. J. Barker,	James B. Garnett,	R. B. Lovel,
James Blackburn,	Duncan Harding,	P. A. Lyon,
Scott Brown,	James W. Hays,	Sumner Marble,
W. A. Cunningham,	George B. Hodge,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler—16.
H. F. Finley,		

Mr. Lyon, from the Committee on Enrollments, reported that the committee had examined enrolled bills, which originated in the Senate, of the following titles, viz :

An act to incorporate Oakland Cemetery, in Gallatin county;

An act for the benefit of J. N. Williams, late assessor of Calloway county;

An act to repeal chapter 65, General Statutes, and to re-establish the office of receiver for lands west of the Tennessee river;

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road in Knox county;"

An act to prevent the sale of spirituous or intoxicating liquors within one mile of the town of Williamsburg, in Whitley county;

An act to incorporate the Sandlick Baptist Church, of Monroe county;

An act for the benefit of A. H. Hogan, sheriff of Boyd county;

An act to incorporate Melton Park, Kenton county;

An act to incorporate the Licking Bridge and Junction Turnpike Company;

An act to amend an act, entitled "An act to authorize the voters of the city of Mayfield to vote upon the proposition as to whether spirituous, malt, or vinous liquors shall be sold within the corporate limits of said city, or within one mile thereof," approved December 15th, 1873 ;

An act regulating the mode and manner in which claims against the county of Boyd shall be presented to the county court of Boyd county;

An act for the benefit of J. M. Hester, of Graves county;

An act to incorporate the Campbell and Kenton Fair Company;

An act to incorporate the Central Coal and Iron Company;

An act regulating the holding of circuit and criminal courts in the sixteenth judicial district;

An act to amend the charter of the Bank Lick Turnpike Road Company;

An act for the benefit of John B. Richardson, of Lexington;

An act in aid of common schools in Calloway county;

An act to amend the charter of the city of Louisville ;

An act to amend the charter of the Louisville and Nashville Railroad;

An act to amend an act to establish and maintain a graded school in the town of Harrodsburg, Kentucky, approved March 15th, 1876;

An act to regulate the sale of spirituous liquors in the town of Watkinsville, or within two miles thereof;

An act for the benefit of Theodosia Wells, a pauper idiot of Logan county;

An act to amend an act, entitled "An act to establish a criminal court in the 14th judicial district," approved March 13th, 1876;

An act to fix the time of holding the Montgomery circuit court;

An act to amend an act, entitled "An act authorizing rewards for killing wolves, red foxes, &c.," approved 13th February, 1873 ;

An act to amend the charter of the town of Elizabethtown, in Hardin county;

An act for the benefit of the assessor of Harrison county;

An act to amend article 16, chapter 92, of the General Statutes ;

And enrolled bills and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases;

An act authorizing the county court of Jefferson to pay the police of Beargrass municipality for their services;

An act to incorporate the Caverna and Bear Wallow Turnpike Road Company, in Hart and Barren counties;

An act for the benefit of J. E. Vickery, late sheriff of Wayne county;

An act in relation to the police court of Winchester;

An act prescribing the manner in which suits may be brought against the trustees of the Cincinnati Southern Railway and others by the stockholders of the Covington and Lexington Turnpike Road Company and others;

An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, in Campbell county;"

An act to incorporate the Greensburg Deposit Bank;

An act to amend an act, entitled "An act to regulate official advertisements in the county of Henry," approved February 10th, 1874;

An act to amend an act to regulate the sale of medicines and poisons, approved February 21st, 1874;

An act to repeal an act in regard to turnpike roads in Garrard county in which said county owns stock;

An act exempting the citizens of Bryantsville, in Garrard county, from working on any road outside of said town;

An act to legalize the acts of R. R. H. Gillock as clerk of Barren county court;

An act to prohibit the county judge of Hardin from issuing license to any citizen of West Point district, in Hardin county, to sell spirituous, vinous, or malt liquors;

An act to regulate the release of liens;

An act to amend section 2, article 1, chapter 35, General Statutes, applying to Gallatin county;

An act to amend an act, entitled "An act to protect the interest of the Commonwealth of Kentucky in certain cases," approved February 24th, 1873;

An act for the benefit of the Cynthiana, Connersville, and Scott County Turnpike Road Company;

An act to legalize certain orders of the Hardin county court;

An act to incorporate the Bank of Adairville, of Logan county;

An act regulating the manner of voting in Bourbon county on questions of tax for subscriptions to railroad companies;



An act to incorporate the Lewisburg High School;

An act to incorporate the Union Bank of Louisville;

An act for the benefit of J. M. Reed, of Metcalfe county;

An act to authorize the board of trustees of Somerset to compel able-bodied males arrested on *capias pro fine* to pay such fine by work;

An act in aid of common schools of Livingston county;

An act to repeal an act, entitled "An act to change the time of holding the Union circuit courts," approved March 1st, 1876;

An act for the benefit of W. F. Fluty, of Estill county, committee for Walker Durbin, a pauper idiot;

An act for the benefit of W. T. Graves, of Ballard county;

An act to regulate the times of holding the criminal court of Henry county;

An act for the benefit of Company "E," First Regiment Kentucky State Guards;

Resolution providing an extension of the present session;

And had found the same truly enrolled.

Said bills and resolution having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his signature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

And then the Senate adjourned until 7½ o'clock, P. M.

A message was received from the House of Representatives, announcing that they had disagreed to a bill, which originated in the Senate, entitled

An act legalizing the conveyance executed by James G. Baler, late deputy marshal of the Louisville chancery court, to D. S. Benedict and Samuel L. Nock.

That they had passed bills, which originated in the Senate, of the following titles, viz:

An act directing the Secretary of State to furnish certain books for the use of the commissioner's office of the Louisville chancery court.

An act to pay jurors, summoned by order of the Lincoln county court, to try the right of way on the Cincinnati Southern Railway.

An act to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.

With an amendment to the last named bill.

Mr. Tyler withdrew the motion heretofore made by himself to reconsider the vote by which the Senate had passed a bill from the House of Representatives, entitled

An act to amend the charter of the town of Lockport, in Henry county.

Mr. Brown, from the Committee on Library and Public Offices and Buildings, reported

A bill to erect lightning conductors upon the State buildings at Frankfort.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Librarian shall be authorized to contract for lighting conductors to be placed upon all the State buildings in Frankfort.

§ 2. That the Auditor of Public Accounts shall draw his warrant upon the Treasury, at the rates of thirty cents per foot for the best copper rods, and three dollars per point, of copper with gold points ; when completed, to be paid out of any money in the Treasury not otherwise appropriated, amount not to exceed two hundred and fifty dollars on Capitol buildings.

§ 3. This act to take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	D. H. Lindsay,	Robert Simmons,
Scott Brown,	R. B. Lovel,	E. W. Turner,
Wm. Cassius Goodloe,	Joseph B. Read,	Thos. W. Varnon—10.
John Hyden,		

Those who voted in the negative, were—

Wm. J. Berry,	R. G. Hays,	P. A. Lyon,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler,
Andrew J. Ewing,	B. W. S. Huffaker,	C. J. Walton,
H. F. Finley,	J. R. Leslie,	George Wright—13.
James B. Garnett,		

So said bill was rejected.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of W. M. Kirby, sheriff of Garrard county.

By same—

An act for the benefit of the coroner of Jefferson county.

By Mr. Read, from the Committee on Education—

An act for the benefit of school district No. 41, Fleming county.

By Mr. Varnon, from the Committee on Privileges and Elections—

An act for the benefit of the jailer of Lincoln county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate Oldham Lodge, No. 169, of Free and Accepted Masons.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of W. H. Fitzpatrick, sheriff of Floyd county in 1874.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Blackburn, from the Committee on Charitable Institutions, reported a bill, entitled

A bill to incorporate the Christian Church in Newport.

Which bill was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with, and the same being engrossed,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

Mr. Swoope read and laid on the table the following resolution:

WHEREAS, There is at present pending before this General Assembly numerous bills of vital importance to the public, heretofore originated and perfected at the expense of the people, the benefits of which will be lost to the public by an adjournment on the 20th inst.; therefore, believing, as we do, that the interests of the people shall, at all hazard, be guarded, and the public welfare promoted, and this against the popular clamor occasioned by misrepresentation and false theory fostered thereby; therefore, be it

1. *Resolved by the General Assembly of the Commonwealth of Kentucky*, That the session of the General Assembly be prolonged to the 27th inst., at 12 o'clock, M., at which time the General Assembly shall adjourn without day.

2. That from and after the 20th inst. we, the members of the General Assembly, will not demand, nor shall we receive, any sort of compensation for our services during the interim of this additional extension of the session.

Mr. Swoope then moved to suspend the rule in order to take up said resolution.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

W. A. Cunningham,	J. H. Stanley,	E. W. Turner,
George B. Hodge,	George W. Swoope,	Thos. W. Varnon—7.
D. H. Lindsay,		

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
Thomas J. Barker,	James B. Garnett,	P. A. Lyon,
Wm. J. Berry,	Wm. Cassius Goodloe,	Joseph B. Read,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	James W. Hays,	H. A. Tyler,
Scott Brown,	B. W. S. Huffaker,	W. L. Vories,
F. L. Cleveland,	John Hyden,	C. J. Walton,
W. W. Culbertson,	J. R. Leslie,	George Wright—25.
Andrew J. Ewing,		

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to reduce and regulate the salaries of the officers of this Commonwealth.

The hour of eight o'clock, P. M., having arrived, further action thereon was cut off by the special order of the day, it being a bill from the House of Representatives, entitled

An act for the appropriation of money.

Mr. Huffaker moved to postpone the special order in order to act upon the bill then under consideration.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Huffaker, were as follows, viz :



Those who voted in the affirmative, were—

Pollock Barbour,	B. W. S. Huffaker,	C. J. Walton,
W. W. Culbertson,	G. W. Swoope,	George Wright—7.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Thos. J. Barker,	Joseph Gardner,	R. B. Lovel,
Wm. J. Berry,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Sumner Marble,
Robert A. Briggs,	James W. Hays,	Joseph B. Read,
Scott Brown,	R. G. Hays,	Robert Simmons,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
Andrew J. Ewing,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	W. L. Vories—27.

And the Senate resumed the consideration of a bill from the House of Representatives, entitled

An act for the appropriation of money.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky,* That the following sums of money are hereby appropriated to the following named persons, to be paid by the Treasurer out of any money in the Treasury not otherwise appropriated, upon the warrant of the Auditor:

§ 2. To the Speakers of the Senate and House of Representatives, ten dollars each per day, during the present session of the General Assembly.

§ 3. To the principal Clerks of the Senate and House of Representatives, ten dollars each per day, during the present session of the General Assembly, and the same for such time as may be necessary, not exceeding ten days after adjournment, for preparing the acts for publication.

§ 4. To the First Assistant Clerks of the Senate and House of Representatives, ten dollars each per day, during the present session of the General Assembly, and the same for such time as may be necessary, not exceeding ten days, for assisting in preparing the acts for publication.

§ 5. To the Sergeant-at-Arms of the Senate and House of Representatives, each six dollars per day, during the present session.

§ 6. To the Door-Keepers of the Senate and House of Representatives, each five dollars per day, during the present session.

§ 7. To H. T. Stanton and John L. Elliott, Clerks of the Enrolling Committees of the Senate and House of Representatives, each six dollars per day, during the present session.

§ 8. To three pages in the Senate and five in the House of Representatives, two dollars and fifty cents each per day, during the present session of the General Assembly.

§ 9. To the Ministers of the Gospel of Frankfort, three hundred dollars, to be drawn and distributed among them by J. M. McDougal, Sergeant-at-Arms of the House of Representatives, for their services in opening the two Houses of the General Assembly during the present session with prayer.

§ 10. To J. M. McDougal, Sergeant-at-Arms of the House of Representatives, for the use of John Glore and John Glanton, each three dollars

per day, during the present session, for their services in waiting on the House of Representatives.

§ 11. To the Sergeant-at-Arms of the Senate, three dollars per day, during the present session, for J. W. Conley, and two dollars and fifty cents for the use of Geo. Gardner, during the present session, for waiting on Senate.

§ 12. To the principal Clerks of the Senate and House of Representatives, such sums as they may each certify to the Auditor as paid by them for enrolling bills and resolutions during the present session, not exceeding twenty cents per page of enrolling paper.

§ 12½. To H. B. Phythian, two dollars per day, during the present session, for extra work in Library.

§ 13. To the Second Assistant Clerks of the Senate and the House of Representatives, each eight dollars per day, for such time as the Chief Clerks of the two Houses may certify they have acted, which time shall end with the present session.

§ 14. To Charles Haydon, ten dollars per day, for acting as Clerk of the Joint Committee on the Revision of the Codes, the time he acted to be certified by the chairman of said committee.

§ 15. To W. E. Railey, three dollars per day, during the present session, for waiting on the cloak-room of the House of Representatives.

§ 16. To Robert Loomis, three dollars per day, during the present session, for waiting on the "back Capitol."

§ 17. To Ed. Yeizer, two dollars per day, during the present session, for wheeling wood for the two Houses during the present session.

§ 18. To Dennis Griffin, one hundred and fifty dollars and eighty-seven cents, for repairs and carpenter work done for the two Houses during the present session.

§ 19. To Sandford Goin, eighty-five dollars, for ice furnished the two Houses during the present session.

§ 20. W. H. H. Hardin, five dollars, for walnut table, order of O. W. Grimes while State Librarian.

§ 21. To Marshall & Sneed, twenty-four dollars and thirty cents, for articles furnished House of Representatives during present session.

§ 22. To Gray & Rodman, fifty-five dollars and five cents, for articles furnished the two Houses during the present session, by order of O. W. Grimes while he was Librarian.

§ 23. To Guy Barrett, six hundred and sixty-one dollars and twenty cents, for papers furnished the two Houses during present session.

§ 24. To W. H. Hall, four dollars, for articles furnished by order of O. W. Grimes while he was State Librarian.

§ 25. To G. W. Miller, seven dollars and ten cents, for articles furnished the House of Representatives during the present session.

§ 26. To Rodman & Bro., nine dollars and fifty cents, for articles furnished per order of O. W. Grimes, during present session.

§ 27. To the Louisville Commercial Publishing Company, eighty-two dollars and eighty-one cents, for papers furnished General Assembly during present session.

§ 28. To Lexington Press Printing Company, one hundred and twelve dollars and eighty cents, for papers furnished General Assembly during the present session.

§ 29. To W. P. D. Bush & Co., thirty-five dollars and ten cents, for papers furnished General Assembly during the present session.

§ 30. To Ballard & Thompson, publishers Paducah Daily News, twelve dollars and twenty-five cents, for papers furnished General Assembly during the present session.

§ 31. To the Owensboro Monitor, seventy-five cents, for papers furnished General Assembly during present session.

§ 32. To Major, Johnston & Barrett, four hundred dollars, for Yeoman furnished General Assembly during present session.

§ 33. To Mrs. Belinda Pumphrey, three dollars per day, from the 11th January, 1876, to the end of the session, for extra services in enrolling bills and resolutions.

§ 34. To J. W. South, one hundred and five dollars and eighty cents, for chairs furnished the House of Representatives during the present session.

§ 35. To the Treasurer of the Deaf and Dumb Asylum at Danville, twenty-five hundred dollars, for the necessary repairs of the same.

§ 36. To R. A. Thomson, twenty dollars, for opening House of Representatives present session.

§ 37. To N. Roff, Jesse Authur, Charles B. Chiles, James T. Williamson, and James T. Taylor, twenty dollars each, for attendance and mileage before investigating committee of the Senate.

§ 38. To Letitia Harris, five dollars, for washing towels for Senate during present session.

§ 39. To John Glore, five dollars, for washing towels for House of Representatives during present session.

§ 40. To R. E. Little, T. F. Hallam, M. W. LaRue, and Samuel Russell, seventeen dollars and twenty cents each, being for expenses incurred while visiting the city Louisville as a committee to investigate the Jefferson Circuit Court Clerk's office.

§ 41. To the principal Clerk of the Senate, such sum as he may certify to the Auditor as paid by him for making corrected copies of the Code of Practice, at four dollars for Civil and one dollar for Criminal Code.

§ 42. To Lewis Harris, forty dollars, for services in the Senate Chamber during the present session, and for preparing Senate Chamber before the beginning of the session.

§ 43. To John A. Crittenden, two dollars, for acting as Assistant Sergeant-at-Arms of the House of Representatives during the present session.

§ 44. To D. D. Sublett, four dollars, for articles bought and paid for by him for the Senate Chamber, present session.

§ 45. To the Chief Clerk and First Assistant Clerk of the House of Representatives, each one hundred dollars, to the Chief Clerk and First Assistant Clerk of the Senate, each thirty-eight dollars, for keeping accounts of pay of members and Senators.

§ 46. To John Glore, three dollars per day, for five days labor, in preparing and heating up the Hall of the House of Representatives, before the commencement of the present session.

§ 47. This act shall take effect from its passage.

Mr. Hyden moved to amend the fifth section of said bill by striking out "\$6" and inserting "\$8."

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,



Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	G. W. Swoope,
W. W. Culbertson,	John Hyden,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
Andrew J. Ewing,	R. B. Lovel,	Thos. W. Varnon,
Joseph Gardner,	P. A. Lyon,	W. L. Vories,
James B. Garnett,	Sumner Marble,	C. J. Walton—28.
Wm. Cassius Goodloe,		

Those who voted in the negative, were—

Pollock Barbour,	H. F. Finley,	J. R. Leslie,
Wm. J. Berry,	B. W. S. Huffaker,	George Wright—7.
James Blackburn,		

Mr. Hodge moved to amend the sixth section of said bill by striking out “\$5” and inserting “\$6.”

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
Wm. J. Berry,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	R. G. Hays,	J. H. Stanley,
Scott Brown,	George B. Hodge,	E. W. Turner,
F. L. Cleveland,	B. W. S. Huffaker,	H. A. Tyler,
Joseph Gardner,	John Hyden,	Thos. W. Varnon,
James B. Garnett,	D. H. Lindsay,	W. L. Vories—21.

Those who voted in the negative were—

Pollock Barbour,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	J. R. Leslie,	G. W. Swoope,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton,
Andrew J. Ewing,	P. A. Lyon,	George Wright—13.
H. F. Finley,		

Mr. Lovel moved to amend the seventh section of said bill by striking out “\$6” and inserting “\$8.”

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	R. B. Lovel,
James Blackburn,	Duncan Harding,	P. A. Lyon,
Scott Brown,	James W. Hays,	Joseph B. Read,
W. A. Cunningham,	R. G. Hays,	G. W. Swoope,
Andrew J. Ewing,	Geo. B. Hodge,	E. W. Turner,
Joseph Gardner,	John Hyden,	H. A. Tyler—19.
James B. Garnett,		



Those who voted in the negative, were—

Pollock Barbour,	B. W. S. Huffaker,	J. H. Stanley,
Wm. J. Berry,	J. R. Leslie,	W. L. Vories,
Robert A. Briggs,	Sumner Marble,	C. J. Walton,
F. L. Cleveland,	Robert Simmons,	George Wright—13.
H. F. Finley,		

Mr. Hodge moved to amend the eighth section of said bill by striking out “\$2 50” and inserting “\$3.”

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Wright, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	Robert Simmons,
Wm. J. Berry,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	George B. Hodge,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
Joseph Gardner,	Joseph B. Read,	W. L. Vories—19.
James B. Garnett,		

Those who voted in the negative, were

Pollock Barbour,	B. W. S. Huffaker,	Sumner Marble,
James Blackburn,	J. R. Leslie,	G. W. Swoope,
F. L. Cleveland,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—12.

Mr. Swoope moved to amend the ninth section of said bill by striking out “\$300” and inserting “\$500.”

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Goodloe, were as follows, viz:

Those who voted in the affirmative, were—

Wm. Cassius Goodloe,	Sumner Marble,	J. H. Stanley,
R. G. Hays,	Joseph B. Read,	G. W. Swoope—8.
George B. Hodge,	Robert Simmons,	

Those who voted in the negative, were—

Pollock Barbour,	Andrew J. Ewing,	R. B. Lovel,
Thos. J. Barker,	H. F. Finley,	P. A. Lyon,
Wm. J. Berry,	Joseph Gardner,	E. W. Turner,
James Blackburn,	James B. Garnett,	H. A. Tyler,
Robert A. Briggs,	Duncan Harding,	Thos. W. Varnon,
Scott Brown,	James W. Hays,	W. L. Vories,
F. L. Cleveland,	J. R. Leslie,	C. J. Walton,
W. A. Cunningham,	D. H. Lindsay,	George Wright—24.

Mr. Huffaker moved to amend the ninth section of said bill by striking out "\$300" and inserting "\$400."

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Swoope and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	George B. Hodge,	Robert Simmons,
F. L. Cleveland,	B. W. S. Huffaker,	J. H. Stanley,
W. A. Cunningham,	D. H. Lindsay,	G. W. Swoope,
R. G. Hays,	Joseph B. Read,	W. L. Vories—12.

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	E. W. Turner,
Wm. J. Berry,	Duncan Harding,	H. A. Tyler,
James Blackburn,	James W. Hays,	Thos. W. Varnon,
Robert A. Briggs,	J. R. Leslie,	C. J. Walton,
Andrew J. Ewing,	R. B. Lovel,	George Wright—20.
Joseph Gardner,	P. A. Lyon,	

Mr. Barker moved to amend the eleventh section of said bill by striking out "\$2 50" and inserting "\$3."

Which motion was adopted.

Mr. Briggs moved to amend the twelfth section of said bill by striking out "20 cents" and inserting "25 cents."

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Berry and Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
Thos. J. Barker,	Wm. Cassius Goodloe,	J. H. Stanley,
James Blackburn,	Duncan Harding,	G. W. Swoope,
Robert A. Briggs,	James W. Hays,	E. W. Turner,
Scott Brown,	R. G. Hays,	H. A. Tyler,
F. L. Cleveland,	George B. Hodge,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—29.
Joseph Gardner,	Joseph B. Read,	

Those who voted in the negative, were—

Wm. J. Berry,	R. B. Lovel,	Sumner Marble—5.
B. W. S. Huffaker,	P. A. Lyon,	

Mr. Barker moved to amend section twelve and a half by striking out "\$2" and inserting "\$3."

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James B. Garnett,	Robert Simmons,
James Blackburn,	Wm. Cassius Goodloe,	J. H. Stanley,
Robert A. Briggs,	Duncan Harding,	G. W. Swoope,
Scott Brown,	James W. Hays,	E. W. Turner,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
W. A. Cunningham,	George B. Hodge,	Thos. W. Varnon,
Andrew J. Ewing,	John Hyden,	W. L. Vories—23.
Joseph Gardner,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	J. R. Leslie,	C. J. Walton,
Wm. J. Berry,	R. B. Lovel,	George Wright—8.
H. F. Finley,	Sumner Marble,	

Mr. Briggs moved to amend section thirteen by striking out “\$8” and inserting “\$10.”

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Wm. J. Berry,	James W. Hays,	George W. Swoope,
Robert A. Briggs,	R. G. Hays,	E. W. Turner,
Scott Brown,	George B. Hodge,	Thos. W. Varnon—11.
Wm. Cassius Goodloe,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thomas J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	B. W. S. Huffaker,	J. H. Stanley,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	W. L. Vories,
Andrew J. Ewing,	R. B. Lovel,	C. J. Walton,
H. F. Finley,	P. A. Lyon,	George Wright—22.
Joseph Gardner,		

Mr. Berry moved to amend section fourteen by striking out “\$10” and inserting “\$8.”

Which motion was rejected.

Mr. Briggs moved to amend section fifteen by striking out “\$3” and inserting “\$5.”

Which motion was adopted.



Mr. Brown moved to amend section sixteen by striking out “\$3” and inserting “\$3 50.”

Which motion was adopted.

Mr. Cleveland moved to amend section seventeen by striking out “\$2” and inserting “\$2 50.”

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	F. L. Cleveland,	R. G. Hays,
Wm. J. Berry,	H. F. Finley,	Joseph B. Read,
Robert A. Briggs,	Wm. Cassius Goodloe,	E. W. Turner—11.
Scott Brown,	Duncan Harding,	

Those who voted in the negative, were—

Pollock Barbour,	J. R. Leslie,	G. W. Swoope,
James Blackburn,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories,
Joseph Gardner,	Sumner Marble,	C. J. Walton,
James B. Garnett,	Robert Simmons,	George Wright—19.
B. W. S. Huffaker,		

Mr. Blackburn moved to amend the eighteenth section by striking out “\$150” and inserting “\$179 87.”

Which motion was adopted.

Mr. Goodloe moved to amend the twenty-third section by striking out “\$661 20” and inserting “\$826 50.”

Which motion was adopted.

Mr. Swoope moved to amend section thirty-one by striking out “75 cents” and inserting “\$3 38.”

Which motion was adopted.

Mr. Walton moved to amend section thirty-six by striking out “\$20” and inserting “\$10.”

Which motion was adopted.

Mr. Goodloe moved to amend section thirty-seven by striking out “\$20” and inserting “\$11 88.”

Which motion was adopted.

Mr. Vories moved to amend said bill by striking out the “forty-third section.”

Which motion was adopted.

Mr. Brown moved to amend said bill by inserting the following as an additional section:



"To John R. Graham \$5, for one looking-glass furnished Senate."  
Which motion was adopted.

*Ordered*, That said bill, as amended, be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz:

Those who voted in the affirmative, were—

Thos. J. Barker,	Wm. Cassius Goodloe,	P. A. Lyon,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	J. W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	E. W. Turner,
W. A. Cunningham,	George B. Hodge,	H. A. Tyler,
Andrew J. Ewing,	John Hyden,	Thos. W. Varnon,
Joseph Gardner,	D. H. Lindsay,	W. L. Vories—23.
James B. Garnett,	R. B. Lovel,	

Those who voted in the negative, were—

Pollock Barbour,	B. W. S. Huffaker,	C. J. Walton,
Wm. J. Berry,	J. R. Leslie,	George Wright—8.
H. F. Finley,	G. W. Swoope,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Hodge read and laid on the table the following joint resolution, viz:

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That this General Assembly proceed to elect a Public Printer at 11 o'clock, A. M., on Monday, March 20th, 1876.

Which lies one day on the table.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act for the propagation and protection of food fishes in the waters of the State of Kentucky.

Said amendments read as follows, viz:

1st. Amend section 2, line 11, by striking out the words "two dollars," and inserting in lieu thereof the words "fifty cents."

2d. Amend section 3, line 4, by striking out the word "ten," and inserting in lieu thereof the word "five."

3d. Amend section 6, line 4, by inserting after the word "using" the following words, viz: "trot-lines and gigs to catch or kill fish, or."

4th. Amend section 7, by adding after the word "passage" the following, viz: "But the provisions of this act shall not apply to the Ohio river or Cumberland river below the mouth of Rockcastle river, nor to lakes in the Ohio and Mississippi river bottoms, nor shall it prevent any person

from catching fish with his hands, except in spawning time: *Provided*, That no net shall be set at or within one half mile of the mouth of any tributary of the Ohio or Cumberland rivers."

Mr. Finley moved to lay said bill and amendments on the table.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	James W. Hays,	W. L. Vories,
H. F. Finley,	J. R. Leslie,	George Wright—8.
James B. Garnett,	H. A. Tyler,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	R. B. Lovel,
Thos. J. Barker,	Duncan Harding,	P. A. Lyon,
James Blackburn,	R. G. Hays,	Joseph B. Read,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon—19.
Joseph Gardner,		

Mr. Barker moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

Mr. Leslie moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Leslie and Vories, were as follows, viz :

Those who voted in the affirmative, were—

Andrew J. Ewing,	B. W. S. Huffaker,	W. L. Vories,
James B. Garnett,	J. R. Leslie,	George Wright—8.
James W. Hays,	H. A. Tyler,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	George B. Hodge,	J. H. Stanley,
Robert A. Briggs,	John Hyden,	E. W. Turner,
Scott Brown,	D. H. Lindsay,	Thos. W. Varnon—16.
W. A. Cunningham,		

Mr. Vories then moved to reconsider the vote by which the main question had been ordered.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

W. A. Cunningham,	James B. Garnett,	W. L. Vories,
Andrew J. Ewing,	B. W. S. Huffaker,	George Wright—8.
H. F. Finley,	J. R. Leslie,	

Those who voted in the negative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	R. G. Hays,	E. W. Turner,
Robert A. Briggs,	George B. Hodge,	H. A. Tyler,
Scott Brown,	D. H. Lindsay,	Thos. W. Varnon—16.
Joseph Gardner,		

The question was then taken on concurring in the adoption of the first amendment proposed by the House of Representatives to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Leslie, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	E. W. Turner,
Robert A. Briggs,	R. G. Hays,	H. A. Tyler,
Scott Brown,	George B. Hodge,	Thos. W. Varnon—17.
W. A. Cunningham,	D. H. Lindsay,	

Those who voted in the negative, were—

H. F. Finley,	J. R. Leslie,	W. L. Vories—4.
James B. Garnett,		

The question was then taken on concurring in the adoption of the second amendment proposed by the House of Representatives, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Leslie and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	R. G. Hays,	E. W. Turner,
Scott Brown,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	B. W. S. Huffaker,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton—19.
Joseph Gardner,		

Those who voted in the negative, were—

Andrew J. Ewing,	James W. Hays,	W. L. Vories—4.
H. F. Finley,		

Pending the further consideration of said amendments, the hour of 12 o'clock, midnight, having arrived, further action thereon was cut off, and the Speaker declared the Senate adjourned until 9½ o'clock, Monday morning.

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MONDAY, MARCH 20, 1876.

A message in writing was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State.

Said message was taken up and read as follows, viz :

STATE OF KENTUCKY, EXECUTIVE DEPARTMENT, }  
FRANKFORT, March 20th, 1876. }

*Gentlemen of the Senate :*

I nominate for your advice, the following persons to be appointed notaries public, for the term prescribed by law, to act in the limits herein designated :

Wm. M. Riggs, Metcalfe county.

C. C. Ball, Henderson county.

Wm. Stone Abert, Jefferson county.

O. H. Harrison, Jefferson county.

J. H. Mattingly, Marion county.

Ben. C. Allin, Henderson county.

Jas. F. Lloyd, Jefferson county.

R. E. Glenn, Muhlenburg county.

Robert B. Fisk, Bracken, Campbell, Kenton, Pendleton, Harrison, and Robertson counties.

R. W. Meredith, Jefferson counties.

JAMES B. McCREARY,  
*Governor of Kentucky.*

*Resolved*, That the Senate advise and consent to said nominations.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills, which originated in the House of Representatives, of the following titles, viz :

An act to amend chapter 90 of the General Statutes, title "Public Printing and Binding."



An act to repeal part of an act to amend an act, entitled "An act to incorporate the Danville Gas-light Company," approved February 7th, 1874.

An act to fix the compensation of the militia when in actual service.

An act to amend the charter of the Bank of Woodford, approved March 3d, 1869.

That they had disagreed to a bill, which originated in the Senate, entitled

An act to create the Owensboro chancery court.

That they had passed bills, which originated in the Senate, of the following titles, viz :

An act for the benefit of John C. Broadhead.

An act to amend the charter of the city of Newport, creating medical districts.

That they had passed a bill, entitled

An act to amend the charter of the Kentucky Central Railroad Company.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was also received from the House of Representatives, announcing that they had adopted a joint resolution, entitled

Resolution in relation to E. O'M. Condon, a naturalized citizen of the United States, imprisoned by the British Government for a political offense.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had concurred in the seventh, eighth, twelfth, fourteenth, fifteenth, and sixteenth amendments proposed by the Senate, and had refused to concur in the first, second, third, fourth, fifth, sixth, ninth, tenth, eleventh, and thirteenth amendments pro-

posed by the Senate to a bill from the House of Representatives, entitled

An act for the appropriation of money.

Bills from the House of Representatives, of the following titles, were reported from the several committees to whom they had been referred, viz :

By Mr. Cunningham, from the Committee on Courts of Justice—

■ An act to incorporate the Edgar Institute, Paris, Ky.

By same—

An act for the benefit of John S. Geiger, late presiding county judge of Union county.

By same—

An act to authorize the presiding judge of the Todd county court to grant coffee-house license within the corporate limits of Elkton.

By same—

An act to increase the jurisdiction of the police judge of Lancaster in civil cases.

By same—

An act for the benefit of J. N. Walker, clerk of the Johnson circuit court.

By same—

An act to change the time of holding the Owenton police court.

By Mr. Barker, from the Committee on Internal Improvement—

An act to amend the act incorporating the Winchester and Red River Iron Works Turnpike Road Company.

By same—

An act to amend an act, entitled "An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company."

By same—

An act for the benefit of John A. Thomas and others, of Shelby county.

By same—

An act for the benefit of the Maxwell and Perryville Turnpike Road.

By same—

An act to provide for draining and ditching in Daviess county.

By same—

An act to amend an act, entitled "An act to incorporate Fry's Creek Turnpike Road Company, in Lincoln and Casey counties," approved March 25th, 1872.

By Mr. Read, from the Committee on Education—

An act to incorporate the William Garth Collegiate Institute, Paris, Kentucky.

By same—

An act to incorporate Phœnix Lodge, No. 196, I. O. O. F., of Louisville.

By same—

An act in aid of R. H. Caldwell, common school commissioner of Boyd county.

By same—

An act to incorporate Halsill's Female Seminary, in Warren county.

By same—

An act in aid of common schools of Boyle county.

By same—

An act for the benefit of school district No. 1, Allen county.

By Mr. Lindsay, from the Committee on Religion and Morals—

An act to incorporate the Corydon Lodge, No. —, Colored Benevolent Society.

By Mr. R. G. Hays, from the Committee on Finance—

An act for the benefit of Joseph A. Stein, of Jefferson county.

By same—

An act for the benefit of the Louisville Plate Glass Manufacturing Company.

By same—

An act for the benefit of G. P. Rose and J. L. McCarty, late sheriffs of Whitley county.

By same—

An act for the benefit of A. B. Gilbert, sheriff of Owsley county.

By same—

An act for the benefit of James A. Ward, of Johnson county.

By Mr. J. W. Hays, from the Committee on the Judiciary—

An act to amend an act, entitled "An act to change the name and extend the limits of the town of Berry's Station, in Harrison county," approved March 16th, 1869.

By same—

An act to provide for liens for laboring men and supply men.

By Mr. Briggs, from the Committee on Claims—

An act for the benefit of Thomas North, a pauper idiot of Boyle county.

By same—

An act for the benefit of Nancy Fuel, an idiot of Boyle county.

By Mr. Berry, from the Committee on Religion and Morals—

An act to incorporate C. S. Hoffman Lodge, No. 252, Free and Accepted Masons.

By Mr. Culbertson, from the Committee on Internal Improvement—

An act to incorporate the Minneola and Anderson Ferry Turnpike Road Company, in Boone county.

By Mr. Culbertson, from the Committee on Agriculture and Manufactures—

An act to incorporate the Farmers and Mechanical Manufacturing Company.

By Mr. Brown, from the Committee on Internal Improvement—

An act to authorize the trustees of South Carrollton to work roads and streets.

By Mr. Lovel, from the Committee on Propositions and Grievances—

An act to declare Rockcastle river a navigable stream.

By Mr. R. G. Hays, from the Committee on Finance—

An act to incorporate the Louisville Association for the Improvement of Live Stock.

By Mr. Barbour, from the Committee on Banks and Insurance—

An act to amend an act, entitled "An act to incorporate the Louisville Bank of Commerce," approved March 6th, 1876.

By same—

An act for the benefit of the Paducah Savings Bank.

By Mr. Wright, from the Committee on Agriculture and Manufactures—

An act to prevent cattle from running at large in Logan county.

By Mr. Brown, from the Committee on Internal Improvement—

An act to incorporate the Elliston Station and Collins' Mill Turnpike Road Company, in Grant county.

By Mr. Berry, from the Committee on Propositions and Grievances—

An act to declare Frozen creek, in Breathitt county, a navigable stream.

*Ordered*, That said bills be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with,



*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Bills of the following titles were reported from the several committees directed to prepare and bring in the same, viz:

By Mr. Wright, from the Committee on Finance—

A bill for the benefit of Maria Simmons, of Warren county.

By Mr. R. G. Hays, from the Committee on Finance—

A bill for the benefit of R. F. Scott, late sheriff of Garrard county.

By Mr. Barbour, from the Committee on Charitable Institutions—

A bill to amend an act, entitled "An act regulating lunatic asylums."

By Mr. Barbour, from the Committee on Banks and Insurance—

A bill to amend an act, entitled "An act for incorporating and regulation of fire, health, marine, accident, live stock, and all other except life insurance companies."

By Mr. Culbertson, from the Committee on Finance—

A bill to amend section 96 of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3d, 1870.

By Mr. Tyler, from the Committee on Courts of Justice—

A bill to include Breathitt county in the first appellate district.

By Mr. Turner, from the Committee on General Statutes and Codes of Practice—

A bill to prevent hogs from running at large upon streets and alleys in the town of Williamsburg, in Whitley county.

By Mr. Vories, from the Committee on Banks and Insurance—

A bill for the benefit of Henry and Hardin counties.

By Mr. Varnon, from the Committee on Privileges and Elections—

A bill to amend the charter of Bryantsville, Garrard county.

Which bills were severally read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bills being dispensed with,

*Ordered*, That said bills be engrossed and read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bills being dispensed with, and the same being engrossed,

*Resolved*, That said bills do pass, and that the titles thereof be as aforesaid.

Mr. Turner, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to prescribe an oath to be taken by all officers elected or appointed,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That hereafter all officers of this Commonwealth, elected or appointed, shall, before entering upon the duties of the office to which they have been elected, take the following oath: I, ———, do solemnly swear (or affirm) that I have not, directly or indirectly, given, advanced, or loaned any money or property of any kind whatever, to any person or persons, for the purpose of being employed or used in promoting my election or appointment to the office I now claim; nor have I, previous to my election, agreed or promised, directly or indirectly, to give, advance, or loan any money or property for such purpose.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Turner, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	P. A. Lyon,
Thos. J. Barker,	Duncan Harding,	Robert Simmons,
James Blackburn,	James W. Hays,	J. H. Stanley,
Scott Brown,	R. G. Hays,	G. W. Swoope,
F. L. Cleveland,	B. W. S. Huffaker,	E. W. Turner,
W. A. Cunningham,	John Hyden,	H. A. Tyler,
Andrew J. Ewing,	S. H. Jenkins,	Thos. W. Varnon,
H. F. Finley,	J. R. Leslie,	W. L. Vories,
Joseph Gardner,	D. H. Lindsay,	C. J. Walton,
James B. Garnett,	R. B. Lovel,	George Wright—30.

In the negative—Joseph B. Read—1.

The Senate took up for consideration the disagreement between the two Houses in relation to the third amendment proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to regulate the civil jurisdiction of justices of the peace, police judges, and quarterly courts, and the appellate jurisdiction of circuit courts from the judgment of said courts, and to authorize the quarterly courts to appoint clerks.

The question was then taken, "Will the Senate recede from their third proposed amendment?" and it was decided in the negative.

After a short time, a message was received from the House of Representatives announcing that they had receded from their disagreement to the third amendment proposed by the Senate to said bill, and had concurred in said third amendment, with an amendment thereto.

Which was taken up, twice read, and concurred in.

The Senate took up for consideration a bill from the House of Representatives, entitled

An act to incorporate the Louisville and Paducah Railroad Company.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to protect sheep from depredations by dogs, and to authorize the county courts to impose taxes on dogs for county purposes.

The question being taken on concurring in said amendment, it was decided in the affirmative.

The Senate took up for consideration the motion heretofore made to reconsider the vote by which they had disagreed to a bill from the House of Representatives, entitled

An act to regulate the holding of the court of claims in Pulaski county.

The question being taken on reconsidering said vote, it was decided in the affirmative.

The question was then taken on the passage of said bill, and it was decided in the affirmative.

*Resolved*, That the title of said bill be as aforesaid.

The Senate, according to order, took up for consideration a bill from the House of Representatives, entitled

An act to establish a Bureau of Agriculture, Horticulture, and Statistics.

The question being taken on the passage of said bill, it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	Sumner Marble,
Thos. J. Barker,	Wm. Cassius Goodloe,	Joseph B. Read,
Wm. J. Berry,	Duncan Harding,	Robert Simmons,
James Blackburn,	J. W. Hays,	G. W. Swoope,
Robert A. Briggs,	George B. Hodge,	E. W. Turner,
Scott Brown,	John Hyden,	H. A. Tyler,
F. L. Cleveland,	S. H. Jenkins,	Thos. W. Varnon,
W. W. Culbertson,	D. H. Lindsay,	W. L. Vories,
W. A. Cunningham,	R. B. Lovel,	C. J. Walton—29.
Joseph Gardner,	P. A. Lyon,	

Those who voted in the negative, were—

Andrew J. Ewing,	B. W. S. Huffaker,	J. H. Stanley,
H. F. Finley,	J. R. Leslie,	George Wright—6.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration a resolution from the House of Representatives, entitled

Resolution as to relations between the State of Kentucky and the Kentucky River Navigation Company.

Mr. Berry proposed an amendment to said resolution.

Which was adopted.

Mr. Goodloe proposed an amendment to said resolution.

Which was adopted.

The question was then taken on concurring in said resolution, as amended, and it was decided in the affirmative.

Mr. Cleveland proposed the following resolution, viz :

*Resolved*, That the Public Printer be, and is hereby, directed to forward to each member of the Senate and the officers thereof, such documents as may not have been published at the time of the present adjournment of the Legislature, together with a synopsis of the general laws and the titles of the private acts passed at this session, on which the postage is to be paid; fifty copies of said synopsis of the acts to be forwarded to each member of the Senate.

Which was adopted.

Mr. R. G. Hays, from the Committee on Finance, reported

A bill to protect the records of this Commonwealth.

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be engrossed and read a third time.

Said bill was engrossed and read a third time as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That it shall be the duty of the clerks of the courts in each county



in this Commonwealth to provide themselves with suitable paper filing boxes, properly labeled, in which to place the papers of their respective courts, arranging the same numerically or alphabetically as may be most convenient for reference; such boxes to be paid for in the same manner as is provided for the payment of necessary well-bound blank books made use of in their offices.

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Swoope, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	G. W. Swoope,
Wm. J. Berry,	Duncan Harding,	E. W. Turner,
F. L. Cleveland,	R. G. Hays,	H. A. Tyler,
Joseph Gardner,	Joseph B. Read,	Thos. W. Varnon—12.

Those who voted in the negative, were

Thos. J. Barker,	James W. Hays,	P. A. Lyon,
James Blackburn,	George B. Hodge,	Sumner Marble,
Scott Brown,	B. W. S. Huffaker,	Robert Simmons,
W. W. Culbertson,	John Hyden,	J. H. Stanley,
W. A. Cunningham,	S. H. Jenkins,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	C. J. Walton,
H. F. Finley,	D. H. Lindsay,	George Wright—23.
James B. Garnett,	R. B. Lovel,	

So said bill was rejected.

Mr. Lovel, from the Committee on Propositions and Grievances, to whom was referred a bill from the House of Representatives, entitled

An act to change the line between the counties of Clay and Owsley,

Reported the same without amendment.

Said bill reads as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the line between the counties of Clay and Owsley be, and is hereby, changed as follows, viz: Beginning at the head of Spiry's branch, at the line between said counties; thence running down the ridge above said branch, so as to include all the waters of said branch in Owsley county; thence crossing Sexton's creek, at the mouth of Spiry's branch; thence a straight line to the head of Road Run; thence on the top of the ridge, so as to include all of Road Run in Owsley county, to the gap near H. M. Meade's; thence with the top of the ridge, between Road Run and Lower Tedins, to the head of the Rocky branch; thence with the divide between the Rocky branch and Lower Tedins, to the mouth of Lower Tedins, where it empties into the South Fork of the Kentucky river; thence a straight line to the top of Yates' Knob, between the South

Fork of Kentucky river and Newfound creek; thence with the dividing ridge between Newfound creek and the South Fork, so as to include all of said Newfound creek in Owsley county, to the line between said counties as now established.

§ 3. This act shall take effect from its passage.

Mr. Hyden moved to lay said bill on the table.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and R. G. Hays, were as follows, viz:

Those who voted in the affirmative, were—

Pollock Barbour,	R. G. Hays,	Robert Simmons,
Thos. J. Barker,	George B. Hodge,	J. H. Stanley,
James Blackburn,	John Hyden,	G. W. Swoope,
Robert A. Briggs,	S. H. Jenkins,	E. W. Turner,
Scott Brown,	J. R. Leslie,	H. A. Tyler,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
Andrew J. Ewing,	R. B. Lovel,	W. L. Vories,
Duncan Harding,	P. A. Lyon.	George Wright—26.
James W. Hays,	Joseph B. Read,	

Those who voted in the negative, were—

W. W. Culbertson,	Wm. Cassius Goodloe,	Sumner Marble,
H. F. Finley,	B. W. S. Huffaker,	C. J. Walton—7.
Joseph Gardner,		

So said bill was disagreed to.

Mr. Turner, from the Committee on General Statutes and Codes of Practice, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the town of Nicholasville,

Reported the same without amendment.

Mr. Blackburn moved to lay said bill on the table.

Which motion was adopted.

Mr. Barbour, from the Committee on Banks and Insurance, to whom was referred a bill from the House of Representatives, entitled

An act to amend the charter of the Louisville Banking Company of the city of Louisville, approved January 24, 1867,

Reported the same without amendment.

Mr. J. W. Hays moved to lay said bill on the table.

Which motion was adopted.

The Senate resumed the consideration of the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act for the propagation and protection of food fishes in the waters of the State of Kentucky.

The question was then taken on concurring in the adoption of the third amendment to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and Vories, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
Thos. J. Barker,	James B. Garnett,	P. A. Lyon,
James Blackburn,	Wm. Cassius Goodloe,	Sumner Marble,
Robert A. Briggs,	Duncan Harding,	Joseph B. Read,
Scott Brown,	R. G. Hays,	E. W. Turner,
F. L. Cleveland,	George B. Hodge,	H. A. Tyler,
W. W. Culbertson,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	C. J. Walton—25.
H. F. Finley,		

In the negative—none.

The question was then taken on the fourth and last amendment to said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Cunningham and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Wm. Cassius Goodloe,	Joseph B. Read,
Thos. J. Barker,	Duncan Harding,	G. W. Swoope,
James Blackburn,	R. G. Hays,	E. W. Turner,
Robert A. Briggs,	D. H. Lindsay,	H. A. Tyler,
Scott Brown,	R. B. Lovel,	Thos. W. Varnon,
F. L. Cleveland,	P. A. Lyon,	C. J. Walton—20.
W. W. Culbertson,	Sumner Marble,	

Those who voted in the negative, were—

W. A. Cunningham,	Joseph Gardner,	John Hyden,
Andrew J. Ewing,	George B. Hodge,	George Wright—8.
H. F. Finley,	B. W. S. Huffaker,	

Mr. Cleveland, from a select committee, to whom was referred the petition and communication of Gen. G. W. Smith, and also the communication of Hon. D. Howard Smith, Auditor of Public Accounts, made the following report, viz :

The special committee of the Senate appointed to take into consideration the written communication of Gen. Gustavus W. Smith, bearing date March 15th, 1876, and which was addressed to the two Houses of the General Assembly of the Commonwealth of Kentucky, and the special committee of the House of Representative appointed for a like purpose, respectfully report, that said two committees, acting together, organized by appointing F. L. Cleveland chairman, and Albert a Stoll secretary: that

the said Gustavus W. Smith then appeared before them, and being duly sworn, gave his testimony, in writing, which is filed herewith, marked "Exhibit A." He also furnished said committee with two written statements, which are filed herewith as exhibits, one of which is marked "Exhibit B," and the other "Exhibit C."

He also made before the committee a verbal statement, which was not reduced to writing.

Messrs. John Rodman, Bedford Leslie, H. T. Stanton, C. T. Baird, and D. Howard Smith, were severally duly sworn as witnesses, and thereupon each one of them testified as a witness.

Documentary evidence was also produced before the committee. The evidence conduces to show that General Smith had heard matters which, it seems, induced him to believe that Mr. D. Howard Smith had, prior to his election in August, 1875, to the office of Auditor, some understanding that, in the event of his election, Mr. Clinton McClarty should be appointed Insurance Commissioner. But, in the opinion of the committee, the evidence does not show, or conduce to show, that at any time prior to the election of Mr. D. Howard Smith in August, 1875, to the office of Auditor, he made any promise or agreement, express or implied, direct or indirect, that he would, in any event whatever, confer the office of Insurance Commissioner upon Mr. Clinton McClarty, or that any other person so did with his knowledge. The evidence shows that on the 9th day of September, 1872, the Acting Insurance Commissioner filed in the office of the Auditor a certificate showing that the St. Louis Mutual Insurance Company had complied with the law, and was authorized to do a life insurance business in the State of Kentucky, and that the Auditor, in the month April, 1873, issued license to several agents of that company to do an insurance business in the State. The certificate so filed showed upon its face that it was based upon a statement of the financial condition of the company on the 31st day of December, 1871. No statement showing the financial condition of that company on the 31st day of December, 1872, was ever filed, and for that reason it is alleged that the Auditor had not the legal right to license the agents of the company in April, 1873.

The 15th section of an act, entitled "An act for the incorporation and regulation of life insurance companies," approved March 12th, 1870, required all life insurance companies doing business in this State on the 10th day of January in each year, or within sixty days thereafter, to return a statement, in detail, to the Insurance Commissioner, of its financial condition on 31st day of the preceding December.

Section 17 of the same act authorizes the Insurance Commissioner, for good cause shown, to extend, not beyond sixty days, the time of filing such statement.



Section 18 of the same act declares that "any new business done by any company or its agents in this State, after neglect to make the prescribed return, shall be deemed to be done in violation of law."

Section 38 of the same act is as follows, viz: "Licenses to agents must be renewed annually, in the same manner as original licenses were issued, upon certificate of the Commissioner that the company represented by the agent has fully complied with the law of this State, and maintains its legal reserve."

The opinion of the committee is, that no license can be legally issued to the agent of a foreign company which has not complied with the law in reference to filing with the Insurance Commissioner within the prescribed time such financial statement as is required by the statute.

But the evidence showed that the Auditor had consulted the Attorney General touching the matter, and that the Attorney General had advised the Auditor that, when the proper certificate had been once filed, license could be legally issued for a year after the certificate was so filed, unless the company within that time was shown to be insolvent. The evidence also showed that the Auditor relied upon that advice, believed it correct, and acted in good faith, and that he had no notice at the time the licenses were issued to the agents of the St. Louis Mutual Life Insurance Company that the Company had not complied with the law in every respect. The committee is clearly of the opinion that the Auditor has not, knowingly or intentionally, violated the law by issuing license to the agent or agents of any insurance companies or company. The committee heard all the evidence offered by either party.

All of which is respectfully reported.

F. L. CLEVELAND, *Chairman*.  
SUMNER MARBLE,  
T. J. JENKINS,  
S. H. JENKINS,  
R. SIMMONS,  
C. J. WALTON,  
ALBERT A. STOLL,  
G. R. SNYDER,  
JOHN A. STEELE,  
W. BERKELE,

*Joint Committee.*

MARCH 20TH, 1876.

Mr. Simmons moved that said report be received, adopted, and spread upon the Journal.

Which motion was adopted.

The yeas and nays being required thereon by Messrs. Turner and Cunningham, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	P. A. Lyon,
Thos. J. Barker,	Wm. Cassius Goodloe,	Sumner Marble,
James Blackburn,	Duncan Harding,	Joseph B. Read,
Robert A. Briggs,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
F. L. Cleveland,	George B. Hodge,	E. W. Turner,
W. W. Culbertson,	B. W. S. Huffaker,	H. A. Tyler,
W. A. Cunningham,	John Hyden,	Thos. W. Varnon,
Andrew J. Ewing,	J. R. Leslie,	W. L. Vories,
H. F. Finley,	D. H. Lindsay,	C. J. Walton,
Joseph Gardner,	R. B. Lovel,	George Wright—33.

In the negative—none.

The Senate took up for consideration the disagreement between the two Houses in relation to the amendment proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the protection of sheep in the counties of Henderson, Breckinridge, Caldwell, Hancock, McLean, Daviess, and Christian.

The question was then taken, "Will the Senate insist on their amendment?" and it was decided in the affirmative.

Mr. Hodge moved to suspend the rule in order to take up the resolution heretofore proposed by himself, entitled

Resolution in reference to the election of a Public Printer.

And the question being taken on the adoption of said motion, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Walton, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James W. Hays,	Robert Simmons,
Thos. J. Barker,	R. G. Hays,	J. H. Stanley,
James Blackburn,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	W. L. Vories—23.
Duncan Harding,	Joseph B. Read,	

Those who voted in the negative, were—

Robert A. Briggs,	H. F. Finley,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	C. J. Walton,
W. W. Culbertson,	B. W. S. Huffaker,	George Wright—11.
Andrew J. Ewing,	J. R. Leslie,	

The Senate then took up for consideration a resolution, entitled  
Resolution in reference to the election of a Public Printer.

Mr. Turner moved to amend said resolution by striking out the words "11 o'clock, A. M.," and inserting in lieu thereof the words "4 o'clock, P. M."

Which motion was adopted.

Mr. Hodge moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.

The question was then taken on the adoption of said resolution, as amended, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Goodloe and Garnett, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	James W. Hays,	Joseph B. Read,
James Blackburn,	R. G. Hays,	Robert Simmons,
Scott Brown,	George B. Hodge,	J. H. Stanley,
W. A. Cunningham,	John Hyden,	G. W. Swoope,
Joseph Gardner,	D. H. Lindsay,	E. W. Turner,
James B. Garnett,	R. B. Lovel,	Thos. W. Varnon,
Duncan Harding,	P. A. Lyon,	W. L. Vories—21.

Those who voted in the negative, were—

Robert A. Briggs,	H. F. Finley,	Sumner Marble,
F. L. Cleveland,	Wm. Cassius Goodloe,	C. J. Walton,
W. W. Culbertson,	B. W. S. Huffaker,	George Wright—11.
Andrew J. Ewing,	J. R. Leslie,	

*Resolved*, That the title of said resolution be as aforesaid.

The Senate took up for consideration an amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to define and punish certain trespasses.

And the question being taken on concurring in said amendment, it was decided in affirmative.

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to incorporate the Louisville Construction Company.

And the question being taken on concurring in said amendment, it was decided in the affirmative.

Mr. Wright moved the following resolution, viz :

WHEREAS, The custom of the State Librarian has been to loan out the miscellaneous books belonging to the Library; and whereas, this custom results in great trouble and loss to the Library,

*Be it resolved*, That the Librarian be requested to not to loan the books of the Library to any person or persons not entitled to them by law.

Which was adopted.

The Senate took up for consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate to a bill, which originated in the House of Representatives, entitled

An act for the appropriation of money.

The question was first taken, "Will the Senate recede from their first, second, fourth, fifth, sixth, ninth, and eleventh proposed amendments?" and it was decided in the negative.

The question was then taken, "Will the Senate recede from their third proposed amendment?" and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Simmons and Cleveland, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	Andrew J. Ewing,	Thos. W. Varnon,
Robert A. Briggs,	H. F. Finley,	W. L. Vories,
F. L. Cleveland,	B. W. S. Huffaker,	George Wright—11.
W. W. Culbertson,	Robert Simmons,	

Those who voted in the negative were—

Thos. J. Barker,	James W. Hays,	P. A. Lyon,
Scott Brown,	R. G. Hays,	Sumner Marble,
W. A. Cunningham,	George B. Hodge,	Joseph B. Read,
Joseph Gardner,	John Hyden,	J. H. Stanley,
James B. Garnett,	D. H. Lindsay,	E. W. Turner,
Wm. Cassius Goodloe,	R. B. Lovel,	H. A. Tyler—19.
Duncan Harding,		

The question was then taken, "Will the Senate recede from their 13th proposed amendment?" and it was decided in the affirmative.

A message was received from the House of Representatives, announcing that they had passed bills, and concurred in the adoption of a resolution, which originated in the Senate, of the following titles, viz :

An act for the benefit of R. F. Scott, late sheriff of Garrard county.

An act to amend an act, entitled "An act regulating lunatic asylums."

An act to prevent hogs from running at large upon streets and alleys in the town of Williamsburg, in Whitley county.

An act to include Breathitt county in the first appellate district.



An act to incorporate the town of New Campbellsburg, in Henry county.

Resolution in reference to the election of a Public Printer.

An act to amend the charter of Bryantsville, Garrard county.

An act for the benefit of Henry and Hardin counties.

With an amendment to the last named bill.

Which was taken up, twice read, and concurred in.

A message was also received from the House of Representatives, announcing that they had concurred in the amendments proposed by the Senate to a bill and a resolution, which originated in the House of Representatives, of the following titles, viz :

An act to incorporate the Louisville and Paducah Railway Company.

Resolution as to relations between the State of Kentucky and the Kentucky River and Green River Navigation Companies.

Mr. Read, from the Committee on Education, to whom was referred a bill from the House of Representatives, entitled

An act for the benefit of Z. Tyree, late common school commissioner for Carter county,

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz :

WHEREAS, Z. Tyree, late common school commissioner of Carter county, in his report of the census of the children in various school districts of Carter county, to the Superintendent of Public Instruction, for the school year ending thirtieth June, one thousand eight hundred and seventy-five, through inadvertence, failed to report the whole number of children in several of the school districts of said county; and by reason of such failure, a proper distribution of the school fund was not made to districts Nos. 1, 7, 12, 18, 19, 25, 27, 29, 30, 31, 35, 37, 44, 50, 55, 57, and said Z. Tyree, as commissioner, having failed to report one hundred and fifty-five children in said districts, reported to him by the trustees of said several districts; to remedy which,

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the Auditor of Public Accounts be, and he is hereby, directed and authorized to draw his warrant on the Treasurer of the Commonwealth, for three hundred and three dollars, in favor of Z. Tyree: *Provided*, That the payment be made out of the surplus fund belonging to the county of Carter.

§ 3. This act shall take effect from and after its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon in pursuance to a provision of the Constitution, were as follows, viz :

Those who voted in the affirmative, were—

Thos. J. Barker,	Duncan Harding,	Joseph B. Read,
James Blackburn,	James W. Hays,	Robert Simmons,
Scott Brown,	R. G. Hays,	J. H. Stanley,
W. W. Culbertson,	George B. Hodge,	G. W. Swoope,
W. A. Cunningham,	John Hyden,	E. W. Turner,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler,
Joseph Gardner,	R. B. Lovel,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	C. J. Walton,
Wm. Cassius Goodloe,	Sumner Marble,	George Wright—27.

In the negative—none.

*Resolved*, That the title of said bill be as aforesaid.

The Senate took up for consideration the amendments proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.

Mr. Turner moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Swoope, were as follows, viz:

Those who voted in the affirmative, were—

James Blackburn,	H. F. Finley,	D. H. Lindsay,
Robert A. Briggs,	James B. Garnett,	P. A. Lyon,
W. W. Culbertson,	Wm. Cassius Goodloe,	H. A. Tyler,
W. A. Cunningham,	James W. Hays,	George Wright—12.

Those who voted in the negative, were—

Scott Brown,	Geo. B. Hodge,	J. H. Stanley,
Andrew J. Ewing,	John Hyden,	G. W. Swoope,
Joseph Gardner,	R. B. Lovel,	E. W. Turner,
Duncan Harding,	Joseph B. Read,	Thos. W. Varnon—14.
R. G. Hays,	Robert Simmons,	

The question was then taken on concurring on the adoption of said amendment.

Pending the consideration of which question, the hour of 4 o'clock, P. M., having arrived, the hour for the execution of the joint order of the day, viz: the election of a Public Printer and Binder, further action thereon was cut off.

The Speaker then announced that the hour had now arrived for the execution of the joint order of the day, viz: the election of a Public Printer and Binder.

After an interchange of messages between the two Houses in relation to their readiness now to proceed to the execution of said joint order,

The Speaker announced that nominations for the office of Public Printer and Binder were now in order.

Whereupon, Mr. Garnett nominated S. I. M. Major, of the city of Frankfort, as a suitable person to fill said office.

Mr. Briggs nominated R. J. O'Mahoney, of the city of Lexington, for said office.

Mr. Cleveland nominated Thomas M. Green, of the city of Maysville, for said office.

Mr. Goodloe nominated T. C. Tracie, of the city of Louisville, for said office.

Mr. Read nominated M. W. LaRue, of the city of Louisville, for said office.

Messrs. J. W. Hays, Tyler, and Lovel were appointed a committee to inform the House of Representatives of the names of those gentlemen who had been placed in nomination in the Senate for the office of Public Printer and Binder.

A message was received from the House of Representatives, announcing that the same gentlemen had been placed in nomination in the House of Representatives, and also the names of L. G. Faxon, of the city of Paducah, and Samuel Davis, of the city of Covington, for the same office.

Whereupon Mr. Tyler nominated Mr. L. G. Faxon, of the city of Paducah, as a suitable person to fill said office.

Mr. Simmons nominated Samuel Davis, of the city of Covington, for said office.

The Senate then proceeded to take a ballot, which stood thus :

Those who voted for Mr. Wood, were—

J. R. Leslie,                      George Wright—2.

Those who voted for Mr. Major, were—

Pollock Barbour,	James B. Garnett,	J. H. Stanley,
James Blackburn,	John Hyden,	G. W. Swoope,
Scott Brown,	D. H. Lindsay,	E. W. Turner,
W. A. Cunningham,	P. A. Lyon,	Thos. W. Varnon,
Joseph Gardner,	Sumner Marble,	W. L. Vories—15.

For Mr. O'Mahoney—Robert A. Briggs—1.

Those who voted Mr. Green, were—

F. L. Cleveland,	Duncan Harding,	R. B. Lovel—4.
Andrew J. Ewing,		

Those who voted for Mr. Tacie, were—

W. W. Culbertson, Wm. Cassius Goodloe, C. J. Walton—5.  
H. F. Finley, B. W. S. Huffaker,

Those who voted for Mr. LaRue, were—

James W. Hays, R. G. Hays, Joseph B. Read—3.

Those who voted for Mr. Davis, were—

George B. Hodge, Robert Simmons—2.

For Mr. Faxon—H. A. Tyler—1.

Messrs. Turner, Barbour, and Tyler were appointed a committee, to act in conjunction with a similar committee on the part of the House of Representatives, to compare the joint vote of the two Houses for the office of Public Printer and Binder, and report the same to the Senate.

After a short time, the committee reported that the joint vote of the two Houses on the first ballot for the office of Public Printer and Binder stood thus:

For Mr. Major, -	-	-	-	-	-	-	-	-	-	46 votes.
For Mr. LaRue, -	-	-	-	-	-	-	-	-	-	22 votes.
For Mr. Tracie, -	-	-	-	-	-	-	-	-	-	12 votes.
For Mr. O'Mahoney, -	-	-	-	-	-	-	-	-	-	7 votes.
For Mr. Green, -	-	-	-	-	-	-	-	-	-	6 votes.
For Mr. Davis, -	-	-	-	-	-	-	-	-	-	6 votes.
For Mr. Faxon, -	-	-	-	-	-	-	-	-	-	6 votes.
For Mr. Wood, -	-	-	-	-	-	-	-	-	-	2 votes.

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Total number - - - - - 107 votes.

Necessary to a choice, 54 votes.

The Speaker then announced that no one in nomination having received a majority of all the votes cast, if it should be the will of the Senate, they will now proceed to take another and second vote.

A message was received from the House of Representatives, announcing that the name of Mr. Faxon had been withdrawn.

The same committee was directed to inform the House of Representatives that the name of Mr. Faxon had also been withdrawn in the Senate.

The Senate then proceeded to take another, the second, vote, which stood thus:

Those who voted for Mr. Wood, were—

J. R. Leslie, George Wright—2.



Those who voted for Mr. Major, were—

Pollock Barbour,	Duncan Harding,	J. H. Stanley,
James Blackburn,	George B. Hodge,	G. W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	H. A. Tyler,
Joseph Gardner,	P. A. Lyon,	Thos. W. Varnon,
James B. Garnett,	Sumner Marble,	W. L. Vories—18.

For Mr. O'Mahoney—Robert A. Briggs—1.

Those who voted for Mr. Green, were—

F. L. Cleveland,	Andrew J. Ewing,	R. B. Lovel—3.
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Those who voted for Tracie, were—

W. W. Culbertson,	Wm. Cassius Goodloe,	C. J. Walton—5.
H. F. Finley,	B. W. S. Huffaker,	

Those who voted for Mr. LaRue, were—

James W. Hays,	R. G. Hays,	Joseph B. Read—3.
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For Mr. Davis—Robert Simmons—1.

The same committee was directed to compare the joint vote of the two Houses, and report the result.

After a short time, Mr. J. W. Hays reported that the joint vote of the two Houses on the second ballot stood thus:

For Mr. Major,	- - - - -	54 votes.
For Mr. LaRue,	- - - - -	35 votes.
For Mr. Tracie,	- - - - -	12 votes.
For Mr. O'Mahoney,	- - - - -	5 votes.
For Mr. Green,	- - - - -	3 votes.
For Mr. Davis,	- - - - -	1 vote.
For Mr. Wood,	- - - - -	2 votes.

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Total,	- - - - -	112 votes.
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Necessary to a choice, 57 votes.

The Speaker then announced that, no one in nomination having received a majority of all the votes cast, if it were the will of the Senate, they would now proceed to take another and the third vote.

Mr. Simmons then withdrew the name of Mr. Davis.

Mr. Briggs withdrew the name of Mr. O'Mahoney.]

Mr. Cleveland withdrew the name of Mr. Green.

*Ordered*, That the same committee inform the House of Representatives of the names withdrawn in the Senate.

A message was received from the House of Representatives, announcing that the same names had been withdrawn in the House of Representatives.

The Senate then proceeded to take the third vote, which stood thus:

Those who voted for Mr. Major, were—

Pollock Barbour,	James B. Garnett,	Robert Simmons,
James Blackburn,	Duncan Harding,	J. H. Stanley,
Robert A. Briggs,	George B. Hodge,	George W. Swoope,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	D. H. Lindsay,	H. A. Tyler,
W. A. Cunningham,	R. B. Lovel,	Thos. W. Varnon,
Andrew J. Ewing,	P. A. Lyon,	W. L. Vories—23.
Joseph Gardner,	Sumner Marble,	

Those who voted for Mr. LaRue, were—

James W. Hays, R. G. Hays—2.

Those who voted for Mr. Tracie, were—

W. W. Culbertson, Wm. Cassius Goodloe, B. W. S. Huffaker—4.  
H. F. Finley,

For Mr. Wood—George Wright—1.

The same committee was directed to compare the joint vote of the two Houses, and report the result

After a short time, Mr. J. W. Hays reported that the joint vote of the two Houses on the third ballot stood thus:

For Mr. Major,	- - - - -	64 votes.
For Mr. LaRue,	- - - - -	33 votes.
For Mr. Tracie,	- - - - -	9 votes.
Total,	- - - - -	107 votes.

Necessary to a choice, 54 votes.

Whereupon Mr. Major having received a majority of all the votes cast, was declared duly elected Public Printer and Binder for two years from and after the first Monday in August, 1876.

Mr. Cunningham, from the Committee on Courts of Justice, to whom was referred a bill from the House of Representatives, entitled

An act to amend section 3, article 2, chapter 106, General Statutes, title "Taverns,"

Reported the same without amendment.

*Ordered*, That said bill be read a third time.

Said bill was read a third time as follows, viz:

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That section 3, article 2, chapter 106, of the General Statutes, title, "Taverns," be amended by striking out of the second line of said section the words, "the distillery," and inserting in lieu thereof the words "their residences."

§ 2. This act shall take effect from its passage.

The rule of the Senate being dispensed with, the question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Swoope and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	James B. Garnett,	J. H. Stanley,
Robert A. Briggs,	Duncan Harding,	E. W. Turner,
Scott Brown,	James W. Hays,	H. A. Tyler,
W. W. Culbertson,	R. G. Hays,	Thos. W. Varnon,
W. A. Cunningham,	John Hyden,	George Wright—17.
Joseph Gardner,	Joseph B. Read,	

Those who voted in the negative, were—

F. L. Cleveland,	George B. Hodge,	P. A. Lyon,
Andrew J. Ewing,	J. R. Leslie,	Sumner Marble,
H. F. Finley,	D. H. Lindsay,	G. W. Swoope—11.
Wm. Cassius Goodloe,	R. B. Lovel,	

*Resolved*, That the title of said bill be as aforesaid.

Mr. Turner moved to suspend the rules in order to take up a bill from the House of Representatives, entitled

An act to amend article 11, chapter 29, of the General Statutes.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Turner and Varnon, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	D. H. Lindsay,	J. H. Stanley,
F. L. Cleveland,	Sumner Marble,	G. W. Swoope,
Wm. Cassius Goodloe,	Joseph B. Read,	E. W. Turner,
James W. Hays,	Robert Simmons,	Thos. W. Varnon—13.
B. W. S. Huffaker,		

Those who voted in the negative, were

Robert A. Briggs,	James B. Garnett,	R. B. Lovel,
W. W. Culbertson,	Duncan Harding,	P. A. Lyon,
W. A. Cunningham,	R. G. Hays,	H. A. Tyler,
Andrew J. Ewing,	George B. Hodge,	W. L. Vories,
H. F. Finley,	John Hyden,	George Wright—17.
Joseph Gardner,	J. R. Leslie,	

The Senate took up for consideration the amendment proposed by the House of Representatives to a bill which originated in the Senate, entitled

An act to provide for the extension of the penitentiary, building a new cell-house, work-shops, &c.

And the question being taken on concurring in the adoption of said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Simmons and Lovel, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James B. Garnett,	P. A. Lyon,
Robert A. Briggs,	Wm. Cassius Goodloe,	G. W. Swoope,
F. L. Cleveland,	James W. Hays,	H. A. Tyler,
W. W. Culbertson,	George B. Hodge,	W. L. Vories,
W. A. Cunningham,	B. W. S. Huffaker,	George Wright—16.
H. F. Finley,		

Those who voted in the negative, were—

Scott Brown,	John Hyden,	Joseph B. Read,
Andrew J. Ewing,	J. R. Leslie,	Robert Simmons,
Joseph Gardner,	D. H. Lindsay,	J. H. Stanley,
Duncan Harding,	R. B. Lovel,	E. W. Turner,
R. G. Hays,	Sumner Marble,	Thos. W. Varnon—15.

The Senate then took up for consideration a bill from the House of Representatives, entitled

An act to amend article eleven, chapter twenty-nine, of the General Statutes.

Mr. Tyler moved that the Senate do now adjourn.

And the question being taken on the adoption of said motion, it was decided in the negative.

The yeas and nays being required thereon by Messrs. Tyler and Finley, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	Duncan Harding,	R. B. Lovel,
W. W. Culbertson,	R. G. Hays,	G. W. Swoope,
Andrew J. Ewing,	J. R. Leslie,	H. A. Tyler—10.
H. F. Finley,		

Those who voted in the negative, were—

James Blackburn,	James W. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Joseph Gardner,	P. A. Lyon,	C. J. Walton,
James B. Garnett,	Sumner Marble,	George Wright—23.
Wm. Cassius Goodloe,	Joseph B. Read,	

Mr. Wright then moved the previous question.

And the question being taken, "Shall the main question be now put?" it was decided in the affirmative.



The yeas and nays being required thereon by Messrs. Tyler and Ewing, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	J. W. Hays,	Robert Simmons,
Robert A. Briggs,	George B. Hodge,	J. H. Stanley,
Scott Brown,	B. W. S. Huffaker,	E. W. Turner,
F. L. Cleveland,	John Hyden,	H. A. Tyler,
W. A. Cunningham,	J. R. Leslie,	Thos. W. Varnon,
H. F. Finley,	D. H. Lindsay,	W. L. Vories,
James B. Garnett,	P. A. Lyon,	George Wright—23.
Wm. Cassius Goodloe,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
W. W. Culbertson,	Duncan Harding,	Sumner Marble,
Andrew J. Ewing,	R. G. Hays,	C. J. Walton—9.

Mr. Tyler then moved to reconsider the vote by which the main question had been ordered, and it was decided in the negative.

The yeas and nays being required thereon by Messrs. Finley and Tyler, were as follows, viz :

Those who voted in the affirmative, were—

Pollock Barbour,	H. F. Finley,	R. B. Lovel,
W. W. Culbertson,	Duncan Harding,	H. A. Tyler,
Andrew J. Ewing,	R. G. Hays,	C. J. Walton—9.

Those who voted in the negative, were—

James Blackburn,	George B. Hodge,	Joseph B. Read,
Robert A. Briggs,	B. W. S. Huffaker,	Robert Simmons,
Scott Brown,	John Hyden,	J. H. Stanley,
F. L. Cleveland,	J. R. Leslie,	E. W. Turner,
W. A. Cunningham,	D. H. Lindsay,	Thos. W. Varnon,
James B. Garnett,	P. A. Lyon,	W. L. Vories,
Wm. Cassius Goodloe,	Sumner Marble,	George Wright—22.
James W. Hays,		

The question was then taken on the passage of said bill, and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Tyler and Finley, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	George B. Hodge,	Robert Simmons,
Robert A. Briggs,	B. W. S. Huffaker,	J. H. Stanley,
Scott Brown,	John Hyden,	E. W. Turner,
F. L. Cleveland,	J. R. Leslie,	Thos. W. Varnon,
W. A. Cunningham,	D. H. Lindsay,	W. L. Vories,
Wm. Cassius Goodloe,	P. A. Lyon,	George Wright—20.
James W. Hays,	Joseph B. Read,	

Those who voted in the negative, were—

Pollock Barbour,	Joseph Gardner,	R. B. Lovel,
W. W. Culbertson,	James B. Garnett,	Sumner Marble,
Andrew J. Ewing,	Duncan Harding,	H. A. Tyler,
H. F. Finley,	R. G. Hays,	C. J. Walton—12.

*Resolved*, That the title of said bill be as aforesaid.

Mr. Blackburn was appointed a committee on the part of the Senate, to act in conjunction with a similar committee on the part of the House of Representatives, to withdraw unsigned from the hands of the Governor a joint resolution, which originated in the House of Representatives, and that had passed the two Houses, entitled

Resolution as to relations between the State of Kentucky and the Kentucky River and Green River Navigation Company.

Mr. Lindsay, from the Committee on Religion and Morals, to whom had been referred a bill from the House of Representatives, entitled

An act to authorize the citizens of Garnettsville precinct, in Meade county, to vote upon the question of licensing taverns to sell spirituous, vinous, and malt liquors,

Reported the same, with the expression of opinion that said bill ought not to pass.

And the question being taken on ordering said bill to be read a third time, the opinion of the committee to the contrary notwithstanding, it was decided in the negative.

So said bill was disagreed to.

A message was received from the House of Representatives, announcing that they had passed bills, which originated in the Senate, of the following titles, viz :

An act to provide for a deduction of time from the terms of sentence of prisoners confined in the penitentiary.

An act to amend section 96 of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3d, 1870.

A bill to incorporate the Christian Church in Newport.

That they had passed a bill, entitled

An act to amend an act, entitled "An act to regulate practice in criminal cases."

Which was read the first time and ordered to be read a second time.

The rule of the Senate and the constitutional provision as to the second reading of said bill being dispensed with,

*Ordered*, That said bill be read a third time.

The rule of the Senate and the constitutional provision as to the third reading of said bill being dispensed with,

*Resolved*, That said bill do pass, and that the title thereof be as aforesaid.

A message was received from the House of Representatives, announcing that they had adhered to their disagreement to the amendments Nos. 1, 2, 3, 4, 5, 6, 9, 10, 11, and 13, proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act for the appropriation of money,

And asked the appointment of a Committee of Conference on the part of the Senate, to act with a similar committee on the part of the House of Representatives, to take into consideration the disagreement between the two Houses in relation to said amendments.

Whereupon, the Speaker appointed Messrs. Vories, Goodloe, and Turner said committee.

A message was received from the House of Representatives, announcing that they had concurred in the adoption of the amendments proposed by the Senate to a bill which originated in the House of Representatives, entitled

An act to amend article eleven, chapter twenty-nine, of General Statutes.

That they had passed a bill, which originated in the Senate, entitled

An act to repeal an act to regulate and make uniform the jurisdiction of police officers in the counties of Webster and Monroe, so far as the same applies to the county of Monroe.

That they had adopted a resolution, entitled

Resolution providing for the appointment of commissioners for the investigation of and reporting on certain questions.

Mr. Tyler, from the Committee on Military Affairs, to whom was referred a bill from the House of Representatives, entitled

An act to authorize the Quarter-Master General to audit and report to the General Assembly all claims for property taken and services rendered by State troops in the late civil war,

Reported the same without amendment.

The question being taken on ordering said bill to be read a third time, it was decided in the negative.

The yeas and nays being required thereon by Messrs. J. W. Hays and Wright, were as follows, viz :

Those who voted in the affirmative, were—

Scott Brown,	James B. Garnett,	Joseph B. Read,
F. L. Cleveland,	Wm. Cassius Goodloe,	H. A. Tyler,
W. W. Culbertson,	P. A. Lyon,	Thos. W. Varnon,
Joseph Gardner,	Sumner Marble,	C. J. Walton—12.

Those who voted in the negative, were—

Pollock Barbouf,	H. F. Finley,	R. B. Lovel,
James Blackburn,	Duncan Harding,	Robert Simmons,
Robert A. Briggs,	James W. Hays,	J. H. Stanley,
W. A. Cunningham,	George B. Hodge,	W. L. Vories,
Andrew J. Ewing,	J. R. Leslie,	George Wright—15.

So said bill was disagreed to.

Said bill reads as follows, viz :

§ 1. *Be it enacted by the General Assembly of the Commonwealth of Kentucky*, That the act March 16, 1869, be, and the same is hereby, repealed, and the Quarter-Master General be authorized and directed to audit and report to the Legislature such military claims for property taken and services rendered during the late civil war as shall be properly authenticated and proven up in accordance with the requirements of the acts approved February 17, 1866, and March 9, 1867.

§ 2. This act to take effect from its passage.

Mr. Goodloe read and laid on the table the following joint resolution :

*Resolved by the General Assembly of the Commonwealth of Kentucky*, That the sum of twenty-five dollars is hereby appropriate to D. D. Sublett, for extra services in waiting on the committee of investigation ordered by the Senate.

The rule of the Senate being dispensed, said resolution was taken up, twice read, and adopted.

A message was received from the House of Representatives, announcing that they had adopted the report of the Committee of Conference, appointed to take into consideration the disagreement between the two Houses in relation to the amendments proposed by the Senate, to a bill which originated in the House of Representatives, entitled

An act for the appropriation of money.

The question was then taken on concurring in the adoption of said report of the Committee of Conference, and it was decided in the affirmative.

Mr. Cunningham read and laid on the table the following joint resolution, viz :



*Resolved by the General Assembly of the Commonwealth of Kentucky,*  
That the present session be, and the same is hereby, extended until  
11 o'clock to-night.

The rule of the Senate being dispensed with, said resolution was  
taken up, twice read, and adopted.

After a short time, a message was received from the House of  
Representatives, announcing that they had concurred in the adoption  
of a resolution, which originated in the Senate, entitled

Resolution extending the present session until 11 o'clock to-night,  
With an amendment thereto.

Which was taken up, and the question being taken on concurring  
in said amendment, it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Wright and  
Leslie, were as follows, viz :

Those who voted in the affirmative, were—

James Blackburn,	James B. Garnett,	Joseph B. Read,
Robert A. Briggs,	Duncan Harding,	Robert Simmons,
F. L. Cleveland,	D. H. Lindsay,	J. H. Stanley,
W. A. Cunningham,	R. B. Lovel,	E. W. Turner,
Joseph Gardner,	Sumner Marble,	Thos. W. Varnon—15.

Those who voted in the negative, were—

Andrew J. Ewing,	B. W. S. Huffaker,	C. J. Walton,
James W. Hays,	J. R. Leslie,	George Wright—6.

Mr. Walton read and laid on the table a joint resolution.

The rule of the Senate being dispensed with, said resolution was  
taken up and read as follows, viz :

WHEREAS, Owing to the deficiency in the number and size of cells in  
the Penitentiary, several hundred convicts confined therein are compelled  
to sleep two in a cell, to the great detriment of their health and morals,  
and in violation of the law requiring solitary confinement; and whereas,  
there are a great many youths in said Penitentiary, and a large number of  
sick in hospital, many of whom are totally and permanently disabled,  
from disease; and whereas, there are others who have served faithfully,  
for several years, whose terms of service have nearly expired; therefore,

*Resolved by the General Assembly of the Commonwealth of Kentucky,*  
That the Governor of Kentucky be, and he is hereby, requested to  
exercise his executive clemency in the pardon of such convicts now in the  
State Penitentiary as in his wisdom and judgment he may think proper,  
under the recommendation of the Keeper of the Penitentiary, having due  
regard to the age, physical condition, term of service, and conduct of the  
convict, and the crime for which said convict was convicted: *Provided, how-*  
*ever,* His Excellency shall not pardon more than twenty-five each month.

Mr. Finley moved the following amendment as a substitute for  
said resolution, viz :

*Resolved by the General Assembly of the Commonwealth of Kentucky,*  
That the Governor of this Commonwealth pardon all the convicts now or  
that may hereafter be confined in the Penitentiary, who are not useful or  
profitable as laborers in the Penitentiary.

Which was rejected.

The question was then taken on the adoption of said resolution,  
and it was decided in the affirmative.

The yeas and nays being required thereon by Messrs. Finley and  
Goodloe, were as follows, viz :

Those who voted in the affirmative, were—

Robert A. Briggs,	Wm. Cassius Goodloe,	Robert Simmons,
Scott Brown,	Duncan Harding,	J. H. Stanley,
F. L. Cleveland,	R. B. Lovel,	E. W. Turner,
W. A. Cunningham,	P. A. Lyon,	W. L. Vories,
Andrew J. Ewing,	Joseph B. Read,	C. J. Walton—15.

Those who voted in the negative were—

Pollock Barbour,	B. W. S. Huffaker,	G. W. Swoope,
Joseph Gardner,	J. R. Leslie,	Thos. W. Varnon,
James B. Garnett,	Sumner Marble,	George Wright—8.
R. G. Hays,		

A message was received from the House of Representatives, an-  
nouncing that they had concurred in the adoption of a resolution  
which originated in the Senate, entitled

Resolution for the benefit of D. D. Sublett.

With an amendment thereto.

Which was taken up, twice read, and concurred in.

Mr. Lyon, from the Committee on Enrollments, reported that the  
committee had examined enrolled bills and resolutions, which origi-  
nated in the Senate, of the following titles, viz :

An act directing the Secretary of State to furnish certain books for  
the use of the commissioner's office of the Louisville chancery court;

An act to protect sheep from depredations by dogs, and to authorize  
the county courts to impose taxes on dogs for county purposes;

An act to incorporate the Louisville Abstract and Loan Associa-  
tion;

An act to incorporate the Calloway Agricultural and Mechanical  
Association;

An act concerning the Codes of Practice;

An act to incorporate the Williamstown Masonic Hall Company;

An act to amend and reduce into one the several acts in reference  
to the town of Marion;

An act for the benefit of James Dees, of Laurel county;

An act to regulate the jurisdiction and trial of criminal and penal cases in Warren county;

An act to amend an act, entitled "An act regulating lunatic asylums;"

An act to provide for the improvement of public roads in Hart county;

An act to pay jurors, summoned by order of the Lincoln county court, to try the right of way on the Cincinnati Southern Railway;

An act to amend section 2 of article 16 of chapter 92 of the General Statutes;

An act to change the time of holding the quarterly courts for the county of Madison;

An act to amend the charter of the city of Hopkinsville;

An act for the benefit of H. S. Percival, sheriff of Kenton county;

An act for the benefit of John C. Broadhead;

An act for the benefit of R. F. Scott, late sheriff of Garrard county;

An act to amend the charter of the city of Newport, creating medical districts;

An act to incorporate the town of New Campbellsburg, in Henry county;

An act for the propagation and protection of food fishes in the waters of the State of Kentucky;

An act to define and punish certain trespasses;

An act to prevent hogs from running at large upon streets and alleys in the town of Williamsburg, in Whitley county;

An act to include Breathitt county in the first appellate district;

An act to amend the charter of Bryantsville, Garrard county;

An act for the benefit of Henry and Hardin counties;

An act to incorporate the Louisville Construction Company;

An act for the benefit of Jacob Howerton, of Lee county;

An act for the benefit of Hezekiah McKeegan, committee for Isaac McKeegan, pauper lunatic of Whitley county;

An act for the benefit of Jos. D. Smith, committee of Rhoda Ray, an idiot of Laurel county;

An act to incorporate the Louisville Rugby School of the city of Louisville;

An act incorporating the Supreme Lodge of the Knights of Honor;

An act to amend the charter of the city of Cynthiana;

An act to incorporate the town of Turner's Station, Henry county;



An act to amend an act to establish a board of commissioners of taxes and assessments for the city of Louisville, approved February 17, 1866;

An act to amend the charter of the Louisville, Harrod's Creek, and Westport Railway Company;

An act to provide for the payment of expenses incurred in the investigation of charges preferred against Senator George B. Hodge;

An act giving the sheriff of Franklin county the longer time of two months to pay into the Treasury the revenue of said county;

An act to amend chapter one hundred and sixty, Acts of 1873 and 1874;

An act to amend section two of article one, chapter twenty-eight, title "Court of Appeals," of the General Statutes;

An act to authorize the county court of Marshall county to issue bonds to rebuild or enlarge the court-house;

An act to amend an act, entitled "An act to incorporate the Owingsville and Mt. Sterling Turnpike Road Company;"

An act to increase the jurisdiction of the police court in the town Eminence, in Henry county;

An act for the benefit of B. R. Nall and others, sureties of Joseph Gore, late sheriff of Larue county;

An act to repeal an act to regulate and make uniform the jurisdiction of police officers in the counties of Webster and Monroe, so far as the same applies to the county of Monroe;

An act to incorporate the Christian Church in Newport;

An act to provide for the extension of the penitentiary, for building a new cell-house, work-shops, &c.;

An act to provide for a deduction of time from the terms of sentence of prisoners confined in the penitentiary,

An act to amend section 96 of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3d, 1870;

Resolution in relation to the death of ex-Governor Thomas E. Bramlette;

Resolution in reference to the election of a Public Printer;

Resolution for the benefit of D. D. Sublett and John A. Crittenden;

Resolution extending the present session until 12 o'clock, P. M., March 20th, 1876;

Enrolled bills and resolutions which originated in the House of Representatives, of the following titles, viz:



An act to amend the charter of the Kentucky Central Railroad Company;

An act to amend section 3, article 2, chapter 106, General Statutes, title "Taverns;"

An act to amend an act, entitled "An act to regulate practice in criminal cases;"

An act to declare Frozen creek, in Breathitt county, a navigable stream;

An act for the benefit of the Louisville Plate Glass Manufacturing Company;

An act to amend an act, entitled "An act to incorporate the Christian Association of the Women of Louisville;"

An act to amend the act incorporating the Winchester and Red River Iron Works Turnpike Road Company;

An act to amend article 11, chapter 92, General Statutes;

An act to allow the voters of Floyd county to vote on the proposition of moving the county seat of said county;

An act to incorporate the Glasgow Grangers' Mutual Benefit Society;

An act for the benefit of S. M. Machen, of Lyon county;

An act to amend chapter 90 of the General Statutes, title "Public Printing and Binding;"

An act requiring the county court of Jefferson county to appoint a measurer of wood, stave-timber, lumber, hoop-poles, and staves;

An act for the benefit of the sheriff of Calloway county;

An act for the relief of H. D. Porter, late sheriff of Elliott county, and his sureties;

An act to authorize the county court of Elliott county to levy an ad valorem tax for bridge and road purposes;

An act to incorporate the Hopkins County Lead and Mining Company;

An act to increase the jurisdiction of the quarterly court of Muhlenburg county;

An act to incorporate the town of Jeffersonville, in Montgomery county;

An act for the benefit of litigants and attorneys of the Owsley circuit court;

An act to amend the charter of the Bank of Woodford, approved March 3d, 1869;

An act to incorporate the Bagdad Cemetery Company;

An act concerning the road laws of Daviess county;

An act to repeal part of an act to amend an act, entitled "An act to incorporate the Danville Gas-light Company," approved February 7th, 1874;

An act for the benefit of Joseph Rutherford, late sheriff of Jessamine county;

An act for the benefit of the sureties of L. F. Marshall for the years 1872-'3-'4;

An act to authorize the county court of Grant county to appropriate money to turnpikes and for other purposes;

An act for the benefit of Joseph H. Davis, sheriff of Ballard county;

An act to incorporate the Home Building and Savings Association of Newport;

An act for the benefit of Elisha Bullock, committee for Emanuel Ferrill, a pauper idiot;

An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State;

An act to amend chapter 76, General Statutes, title "Militia;"

An act to incorporate Grayson Lodge, No. 186, Independent Order of Odd Fellows;

An act to incorporate the Louisville and Paducah Railroad Company;

An act to establish a Bureau of Agriculture, Horticulture, and Statistics;

An act to incorporate the William Garth Collegiate Institute, Paris, Kentucky;

An act to incorporate the Edgar Institute, Paris, Kentucky;

An act for the benefit of A. B. Gilbert, sheriff of Owsley county;

An act for the benefit of Nancy Fuel, an idiot of Boyle county;

An act for the benefit of John A. Thomas and others, of Shelby county;

An act to amend an act, entitled "An act to incorporate the Louisville Bank of Commerce," approved March 6th, 1876;

An act to amend an act, entitled "An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company;"

An act to prescribe an oath to be taken by all officers elected or appointed;

An act for the benefit of Thomas North, a pauper idiot of Boyle county;

An act to incorporate the Bethel and Eagle Valley Turnpike Road Company;

An act for the benefit of John S. Geiger, late presiding county judge of Union county;

An act to declare Rockcastle river a navigable stream;

An act to regulate the holding of the court of claims in Pulaski county;

An act in aid of R. H. Caldwell, common school commissioner of Boyd county;

An act for the benefit of G. P. Rose and J. L. McCarty, late sheriffs of Whitley county;

An act to incorporate Halsill's Female Seminary, in Warren county;

An act for the benefit of school district No. 1, Allen county;

An act to incorporate the Corydon Lodge, No. —, Colored Benevolent Society;

An act to incorporate the Minneola and Anderson Ferry Turnpike Road Company, in Boone county;

An act for the protection of sheep in the counties of Henderson, Breckinridge, Caldwell, Hancock, McLean, Daviess, and Christian;

An act in aid of common schools of Boyle county;

An act to prevent cattle from running at large in Logan county;

An act to incorporate the Covington Hotel Company;

An act to regulate the civil jurisdiction of justices of the peace, police judges, and quarterly courts, and the appellate jurisdiction of circuit courts from the judgment of said courts, and to authorize the quarterly courts to appoint clerks;

An act to authorize the trustees of South Carrollton to work roads and streets,

An act for the benefit of the Paducah Savings Bank;

An act to change the time of holding the Owenton police court;

An act to incorporate the Elliston Station and Collins' Mill Turnpike Road Company, in Grant county;

An act to amend an act, entitled "An act to change the name and extend the limits of the town of Berry's Station, in Harrison county," approved March 16th, 1869;

An act for the benefit of the Maxwell and Perryville Turnpike Road;

An act for the benefit of Joseph A. Stein, of Jefferson county;

An act to incorporate C. S. Hoffinan Lodge, No. 252, Free and Accepted Masons;

An act to incorporate Phœnix Lodge, No. 196, I. O. O. F., of Louisville;

An act for the benefit of J. N. Walker, clerk of the Johnson circuit court;

An act for the benefit of Z. Tyree, late common school commissioner for Carter county;

An act for the benefit of James A. Ward, of Johnson county;

An act to incorporate the Louisville Association for the Improvement of Live Stock;

An act authorizing the Pulaski county court to agree upon the compensation to the sheriff or tax collector of said county for the years 1876-'7;

An act for the benefit of Samuel Tate, of Pulaski county;

An act to amend section one hundred and three of an act, entitled "An act establishing a new charter for the city of Louisville;"

An act to exempt the citizens from road tax north of Green river, in Henderson county, and require them to work on said road;

An act for the benefit of school district No. 13, in Morgan county;

An act to authorize the presiding judge of the Todd county court to grant coffee-house license within the corporate limits of Elkton;

An act to increase the jurisdiction of the police judge of Lancaster in civil cases;

An act to incorporate the town of Stanton, in Powell county;

An act authorizing the president and three directors to lease the Bardstown and Springfield Turnpike Road to Sanford Cutsinger or others.

An act for the benefit of school district No. 1, in Oldham county;

An act for the benefit of the coroner of Jefferson county;

An act for the benefit of W. M. Kirby, sheriff of Garrard county;

An act to amend the charter of the town of Lockport, in Henry county;

An act for the benefit of W. H. Fitzpatrick, sheriff of Floyd county in 1874;

An act for the benefit of school district No. 41, Fleming county;

An act to incorporate Oldham Lodge, No. 169, of Free and Accepted Masons;

An act for the benefit of the jailer of Lincoln county;



An act to incorporate the Farmers' Home Journal Company, of Louisville;

An act to change the name of the Falmouth Cemetery;

An act to change the line between the counties of Whitley and Laurel;

An act for the benefit of G. B. Dockery, of Butler county;

An act for the benefit of C. B. Snell, of Warren county;

An act to incorporate Taylor Lodge, No. 164, of Free and Accepted Masons, of Colemansville, Harrison county;

An act to improve roads in Butler county;

An act to amend an act, entitled "An act to incorporate the Kentucky Mutual Benefit Association of Physicians," approved March 21, 1871;

An act to incorporate the Mt. Carmel Roman Catholic Cemetery, of Paducah;

An act to incorporate the Elizaville Cemetery Company, Fleming county;

An act to amend an act, entitled "An act to establish a criminal court in the 6th judicial district and Hardin county," approved 23d February, 1876, and to add Taylor county to said criminal and judicial district;

An act to provide for liens for laboring men and supply men;

An act to incorporate the Grangers' Bank of Shelbyville;

An act to legalize certain sales made under the decrees of the Pike circuit court;

An act to provide for the building turnpike roads in Todd county;

An act to incorporate the Farmers and Mechanics' Manufacturing Company;

An act to amend an act, entitled "An act to incorporate Fry's Creek Turnpike Road Company, in Lincoln and Casey counties," approved March 25th, 1872;

Resolution in relation to E. O'M. Condon, a naturalized citizen of the United States, imprisoned by the British Government for a political offense;

Resolution as to relations between the State of Kentucky and the Kentucky River and Green River Navigation Companies;

And had found the same truly enrolled.

Said bills and resolutions having been signed by the Speaker of the House of Representatives, the Speaker of the Senate affixed his sig-

nature thereto, and they were delivered to the committee to be presented to the Governor for his approval and signature.

After a short time, Mr. Lyon reported that the committee had performed that duty.

Mr. Goodloe moved the following resolution, viz :

*Resolved*, That the thanks of the Senate are due, and are hereby tendered, to Lieut. Gov. Jno. C. Underwood, for the very able and dignified manner in which he has presided over this body during its present session. His perfect knowledge of parliamentary law, strict impartiality, uniform urbanity, and courtly bearing justly demand our grateful acknowledgments.

Which was unanimously adopted by a rising vote.

Mr. Briggs moved the following resolution, viz :

*Resolved*, That the gratitude of this Senate is due, and hereby tendered, to the Clerks of this body for the courteous, prompt, and accomplished manner with which they have discharged their onerous duties.

Which was unanimously adopted.

Mr. Hodge offered the following resolution, viz :

*Resolved*, That the thanks of the Senate are due, and are hereby tendered, to Henry T. Stanton, Enrolling Clerk, for the faithful and efficient manner in which he has discharged his duties.

Which was unanimously adopted.

Mr. Garnett moved the following resolution, viz :

*Resolved*, That the thanks of the Senate are due to, and are hereby tendered, Mr. D. D. Sublett, for the faithful and energetic manner in which he has discharged the duties of Sergeant-at-Arms of this body.

Which was unanimously adopted.

Mr. Swoope offered the following resolution, viz :

*Resolved*, That the gratitude of the Senate is hereby tendered, as of right it should be, to the ministers and priests officiating in opening the Senate with prayer.

Which was unanimously adopted.

Mr. Garnett moved the following resolution, viz :

*Resolved*, That the thanks of this body are due, and hereby tendered, to J. W. Connelly, for the faithful and efficient manner in which he has discharged the duties of his position as Assistant Sergeant-at-Arms of the present Senate.

Which was unanimously adopted.

Mr. Brown moved the following resolution, viz :

*Resolved*, That the thanks of this Senate are due, and are hereby tendered, to R. C. Petty, for the faithful and efficient manner in which he has discharged the duties of his position as Door-keeper of the present Senate.

Which was unanimously adopted.

Mr. Read offered the following resolution, viz :

*Resolved by the Senate,* That the thanks of this body are due, and the same are hereby tendered, to Luke Hays, Joseph Sublett, Dixey Lindsay, and W. I. Tutt, Pages, for their uniform courtesy and the prompt, cheerful manner, in which they have discharged every duty incumbent upon them.

Which was unanimously adopted.

Mr. Garnett offered the following resolution, viz :

*Resolved,* That the thanks of the Senate are due to Master George Gardner, for the polite, prompt, and efficient manner in which he has discharged the duties of his position.

Which was unanimously adopted.

A message was received from the Governor by Hon. J. Stoddard Johnston, Secretary of State, announcing that the Governor had approved and signed enrolled bills and resolutions, which originated in the Senate, of the following titles, viz :

An act to amend the title of chapter 159 of the act approved February 14, 1876.

An act in relation to an act to incorporate the Kentucky and Great Eastern Railway Company, approved March 22, 1870.

An act to amend an act, entitled "An act to establish a criminal court in the 14th judicial district," approved March 14th, 1876.

An act to regulate the sale of spirituous liquors in the town of Watkinsville, or within two miles thereof.

An act to amend the charter of the town of Elizabethtown, in Hardin county.

An act to amend an act, entitled "An act authorizing rewards for killing wolves, red foxes, &c.," approved 13th February, 1873.

An act for the benefit of the assessor of Harrison county.

An act to fix the time of holding the Montgomery circuit court.

An act in aid of common schools in Calloway county.

An act to incorporate the Campbell and Kenton Fair Company.

An act to prevent the sale of spirituous or intoxicating liquors within one mile of the town of Williamsburg, in Whitley county.

An act regulating the holding of circuit and criminal courts in the sixteenth judicial district.

An act to amend the charter of the Louisville and Nashville Railroad.

An act to amend the charter of the city of Louisville.

An act to amend an act to establish and maintain a graded school in the town of Harrodsburg, Kentucky, approved March 15th, 1876.

An act to incorporate the Sandlick Baptist Church, of Monroe county.

An act to amend article 16, chapter 92, of the General Statutes.

An act to incorporate Melton Park, Kenton county.

An act for the benefit of J. N. Williams, late assessor of Calloway county.

An act to amend the charter of the Bank Lick Turnpike Road Company.

An act to amend the charter of the city of Ludlow.

An act to repeal chapter 65, General Statutes, and to re-establish the office of receiver for lands west of the Tennessee river.

An act for the benefit of A. H. Hogan, sheriff of Boyd county.

An act to incorporate the Licking Bridge and Junction Turnpike Company.

An act for the benefit of John B. Richardson, of Lexington.

An act to incorporate Oakland Cemetery, in Gallatin county.

An act to incorporate the Central Coal and Iron Company.

An act to amend an act, entitled "An act to authorize the voters of the city of Mayfield to vote upon the proposition as to whether spirituous, malt, or vinous liquors shall be sold within the corporate limits of said city, or within one mile thereof," approved December 15th, 1873.

An act for the benefit of J. M. Hester, of Graves county.

An act to amend an act, entitled "An act to amend and reduce into one the several acts concerning the Wilderness Turnpike Road."

An act for the benefit of Theodosia Wells, a pauper idiot of Logan county.

An act regulating the mode and manner in which claims against the county of Boyd shall be presented to the county court of Boyd county.

An act regulating practice in criminal cases.

An act to repeal an act to regulate and make uniform the jurisdiction of police officers in the counties of Webster and Monroe, so far as the same applies to the county of Monroe.

An act to incorporate the Christian Church in Newport.

An act to amend and reduce into one the several acts in reference to the town of Marion.

Resolution for the benefit of D. D. Sublett and John A. Crittenden.



An act to amend section 96 of an act, entitled "An act to establish a new charter for the city of Louisville," approved March 3d, 1870.

An act for the benefit of John C. Broadhead;

An act to amend the charter of the Kentucky Central Railroad Company.

An act for the propagation and protection of food fishes in the waters of the State of Kentucky.

An act for the benefit of Henry and Hardin counties.

An act to prevent hogs from running at large upon streets and alleys in the town of Williamsburg, in Whitley county.

An act to change the time of holding the quarterly courts for the county of Madison.

An act to pay jurors, summoned by order of the Lincoln county court, to try the right of way on the Cincinnati Southern Railway.

An act to include Breathitt county in the first appellate district.

An act to define and punish certain trespasses.

An act to amend section 2 of article 16 of chapter 92 of the General Statutes.

An act to amend the charter of the city of Hopkinsville.

An act to amend an act, entitled "An act regulating lunatic asylums."

An act to provide for the improvement of public roads in Hart county.

An act to incorporate the town of New Campbellsburg, in Henry county.

An act to amend the charter of the city of Newport, creating medical districts.

An act for the benefit of Jacob Howerton, of Lee county.

An act to incorporate the Calloway Agricultural and Mechanical Association.

An act to incorporate the Louisville Construction Company.

An act concerning the Codes of Practice.

An act for the benefit of R. F. Scott, late sheriff of Garrard county.

An act for the benefit of H. S. Percival, sheriff of Kenton county.

An act to amend the charter of Bryantsville, Garrard county.

Resolution extending the present session until 12 o'clock, P. M., March 20th, 1876.

An act appropriating money to build cells in the penitentiary.

An act to provide for a deduction of time from the terms of sentence of prisoners confined in the penitentiary.

An act regulating practice in civil cases.

An act to provide for the payment of expenses incurred in the investigation of charges preferred against Senator George B. Hodge.

An act to regulate the jurisdiction and trial of criminal and penal cases in Warren county.

An act for the benefit of James Dees, of Laurel county.

An act to authorize the county court of Marshall county to issue bonds to rebuild or enlarge the court-house.

An act for the benefit of B. R. Nall and others, sureties of Joseph Gore, late sheriff of Larue county.

An act to incorporate the Louisville Rugby School of the city of Louisville.

An act to incorporate the town of Turner's Station, Henry county.

An act for the benefit of Joseph H. Davis, sheriff of Ballard county.

An act for the benefit of Jos. D. Smith, committee of Rhoda Ray, an idiot of Laurel county.

An act to increase the jurisdiction of the police court in the town Eminence, in Henry county.

An act to authorize the county court of Grant county to appropriate money to turnpikes and for other purposes.

An act incorporating the Supreme Lodge of the Knights of Honor.

An act to amend chapter one hundred and sixty, Acts of 1873 and 1874.

An act giving the sheriff of Franklin county the longer time of two months to pay into the Treasury the revenue of said county.

An act to amend section two of article one, chapter twenty-eight, title "Court of Appeals," of the General Statutes.

An act to amend the charter of the Louisville, Harrod's Creek, and Westport Railway Company.

An act directing the Secretary of State to furnish certain books for the use of the commissioner's office of the Louisville chancery court.

An act to incorporate the Williamstown Masonic Hall Company.

An act to amend the charter of the city of Cynthiana.

An act to amend an act, entitled "An act to incorporate the Owingsville and Mt. Sterling Turnpike Road Company."

An act for the benefit of Hezekiah McKeehan, committee for Isaac McKeehan, a pauper lunatic of Whitley county.]

An act to amend an act to establish a board of commissioners of taxes and assessments for the city of Louisville, approved February 17, 1866.

An act to protect sheep from depredations by dogs, and to authorize the county courts to impose taxes on dogs for county purposes.

An act for the benefit of Elisha Bullock, committee for Emanuel Ferrill, a pauper idiot.

Resolution in relation to the death of ex-Governor Thomas E. Bramlette.

Resolution in reference to the election of a Public Printer.

The following bills, which originated in the Senate, have become laws without the approval of the Governor, he not having returned them to the House where they originated within ten days :

An act to establish the seventeenth circuit court judicial district.

An act to repeal an act, entitled "An act to establish a criminal court in the 11th judicial district," approved February 20th, 1874, so far as the same applies to the county of Henry.

A message was received from the House of Representatives, announcing that they had received official information from the Governor that he had approved and signed enrolled bills and resolutions, which originated in the House of Representatives, of the following titles, viz :

An act for the benefit of Wm. Thierman.

An act authorizing the clerk of the Boyd circuit court to appoint a deputy, who may hold his office in Ashland.

An act to incorporate the Toilsboro Cemetery Company, of Lewis county.

An act to incorporate Monroe Lodge, No. 103, I. O. O. F., at Milton, Kentucky.

An act to incorporate the Centennial Church of Colored Missionary Baptists, at Louisville, Kentucky.

An act to amend an act, entitled "An act to incorporate the Dreaming Creek Turnpike Road Company, in Madison county," approved March 15, 1871.

An act to repeal an act, entitled "An act to establish and incorporate the town of Stroud City, in Muhlenburg county," approved March 19th, 1873.

An act to amend an act, entitled "An act to incorporate the Catholic Cemetery, of Lexington."

An act to attach the farms and possessions of Jesse H. and Robert Beck, of Metcalfe county, to Cumberland county.

An act for the benefit of J. N. Shepperd, clerk of the Wayne circuit court.

An act to amend an act, entitled "An act to incorporate the State Bank in Louisville," approved 6th March, 1876.

An act to incorporate Fleming Lodge, No. 30, Independent Order of Odd Fellows, Fleming county.

An act to amend the charter of the town of Prestonville.

An act supplementary to the act to adopt the General Statutes.

An act for the benefit of James Logan, of Marion county.

An act for the benefit of the constable of the 3d district of Louisville.

An act to authorize the city council of Frankfort to build a free bridge across the Kentucky river.

An act granting to the trustees of the town of Ghent, in Carroll county, the right to establish and maintain a ferry on the Ohio river, at said town.

An act to amend an act, entitled "An act for the benefit of G. W. Taylor, late sheriff of Hancock county, and his sureties, approved February 4, 1876.

An act to amend an act, entitled "An act to increase the jurisdiction of quarterly courts in Hickman and other counties," approved February 17th, 1874.

An act to re-enact an act, entitled "An act to incorporate the North Middletown and Thatcher's Mill Turnpike Road Company," approved March 11th, 1869.

An act to amend an act, entitled "An act for the benefit of the Lebanon and Bradfordsville Turnpike Road Company," approved January 22, 1876.

An act to incorporate the Dexter and Lowell Turnpike Road Company, in Mason county.

An act to charter the Barren River Bridge Company.

Resolution providing an extension of the present session.

An act regulating the manner of voting in Bourbon county on questions of tax for subscriptions to railroad companies.

An act for the benefit of J. M. Reed, of Metcalfe county.

An act to legalize certain orders of the Hardin county court.

An act to authorize the board of trustees of Somerset to compel able-bodied males arrested on *capias pro fine* to pay such fine by work.



An act for the benefit of E. F. Adkins, of Whitley county.

An act further defining the authority and duties of the Governor, Auditor, and Commissioners of the Sinking Fund in the employment of counsel.

An act to incorporate the Lewisburg High School.

An act prescribing the manner in which suits may be brought against the trustees of the Cincinnati Southern Railway and others by the stockholders of the Covington and Lexington Turnpike Road Company and others.

An act to regulate the times of holding the criminal court of Henry county.

An act in relation to the police court of Winchester.

An act for the benefit of Company "E," First Regiment Kentucky State Guards.

An act for the benefit of the Cynthiana, Connersville, and Scott County Turnpike Road Company.

An act for the benefit of W. F. Fluty, of Estill county, committee for Walker Durbin, a pauper idiot.

An act for the benefit of W. T. Graves, of Ballard county.

An act to repeal an act, entitled "An act to change the time of holding the Union circuit courts," approved March 1st, 1876.

An act in aid of common schools of Livingston county.

An act to regulate the release of liens.

An act to amend section 2, article 1, chapter 55, General Statutes, applying to Gallatin county.

An act to incorporate the Union Bank of Louisville.

An act for the benefit of J. E. Vickery, late sheriff of Wayne county.

An act authorizing the county court of Jefferson to pay the police of Beargrass municipality for their services.

An act to amend an act to regulate the sale of medicines and poisons, approved February 21st, 1874.

An act to incorporate the Greensburg Deposit Bank.

An act to repeal an act in regard to turnpike roads in Garrard county in which said county owns stock.

An act to legalize the acts of R. R. H. Gillock as clerk of Barren county court.

An act exempting the citizens of Bryantsville, in Garrard county, from working on any road outside of said town.

An act to amend an act, entitled "An act to regulate official advertisements in the county of Henry," approved February 10th, 1874.

An act to prohibit the county judge of Hardin from issuing license to any citizen of West Point district, in Hardin county, to sell spirituous, vinous, or malt liquors.

An act to incorporate the Bank of Adairville, of Logan county.

An act to amend an act, entitled "An act to revise and amend the charter of the city of Dayton, in Campbell county."

An act to incorporate the Caverna and Bear Wallow Turnpike Road Company, in Hart and Barren counties.

An act to authorize the Boyd county court to purchase the Ashland and Catlettsburg Turnpike.

An act to confer on quarterly courts jurisdiction of misdemeanors in certain cases.

An act to reduce into one act "An act to establish the Kentucky Institution for the Education of the Blind," and amendments thereto.

An act to incorporate the Corydon Lodge, No. —, Colored Benevolent Society.

An act to incorporate the William Garth Collegiate Institute, Paris, Kentucky.

An act for the benefit of school district No. 1, Allen county.

An act to incorporate Halsill's Female Seminary, in Warren county.

An act to incorporate the Louisville and Paducah Railroad Company.

An act to establish a Bureau of Agriculture, Horticulture, and Statistics.

An act for the benefit of John S. Geiger, late presiding county judge of Union county.

An act for the benefit of G. P. Rose and J. L. McCarty, late sheriffs of Whitley county.

An act to incorporate the Minneola and Anderson Ferry Turnpike Road Company, in Boone county.

An act to change the time of holding the Owenton police court.

An act to authorize the trustees of South Carrollton to work roads and streets.

An act to prescribe an oath to be taken by all officers elected or appointed.

An act to incorporate the Edgar Institute, Paris, Kentucky.

An act to incorporate the Bethel and Eagle Valley Turnpike Road Company.

An act to amend an act, entitled "An act to incorporate the Louisville Bank of Commerce," approved March 6th, 1876.

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An act to amend an act, entitled "An act to amend the charter of the Bagdad and Harrisonville Turnpike Road Company."

An act for the benefit of John A. Thomas and others, of Shelby county.

An act for the benefit of Nancy Fuel, an idiot of Boyle county.

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An act for the benefit of A. B. Gilbert, sheriff of Owsley county.

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An act for the protection of sheep in the counties of Henderson, Breckinridge, Caldwell, Hancock, McLean, Daviess, and Christian.

An act for the benefit of James Q. Ward, of Johnson county.

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An act for the benefit of the Maxwell and Perryville Turnpike Road.

An act to incorporate Phœnix Lodge, No. 196, I. O. O. F., of Louisville.

An act to incorporate the Louisville Association for the Improvement of Live Stock.

An act in aid of common schools of Boyle county.

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An act to incorporate the Covington Hotel Company.

An act to regulate the civil jurisdiction of justices of the peace, police judges, and quarterly courts, and the appellate jurisdiction of circuit courts from the judgments of said courts, and to authorize the quarterly courts to appoint clerks.

An act for the benefit of Z. Tyree, late common school commissioner for Carter county.

An act to amend an act, entitled "An act to regulate practice in criminal cases."

An act to amend the act incorporating the Winchester and Red River Iron Works Turnpike Road Company.

An act to amend section 3, article 2, chapter 106, General Statutes, title "Taverns."

An act to amend article 11, chapter 29, General Statutes.

An act to amend the charter of the Kentucky Central Railroad Company.

An act for the benefit of the Louisville Plate Glass Manufacturing Company.

An act to declare Frozen creek, in Breathitt county, a navigable stream.

An act to amend an act, entitled "An act to incorporate the Christian Association of the Women of Louisville."

An act for the appropriation of money.

Resolution as to relations between the State of Kentucky and the Kentucky River and Green River Navigation Company.

Resolution in relation to E. O'M. Condon, a naturalized citizen of the United States, imprisoned by the British Government for a political offense.

An act to incorporate the Home Building and Savings Association of Newport.

An act to allow the voters of Floyd county to vote on the proposition of moving the county seat of said county.

An act for the relief of H. D. Porter, late sheriff of Elliott county, and his sureties.

An act for the benefit of S. M. Machen, of Lyon county.

An act for the benefit of Joseph Rutherford, late sheriff of Jessamine county.

An act to authorize the county court of Elliott county to levy an ad valorem tax for bridge and road purposes.

An act for the benefit of W. H. Fitzpatrick, sheriff of Floyd county in 1874.

An act to incorporate the town of Jeffersonville, in Montgomery county.

An act to amend section one hundred and three of an act, entitled "An act establishing a new charter for the city of Louisville."

An act to incorporate the Mount Carmel Roman Catholic Cemetery, of Paducah.



An act to incorporate the Hopkins County Land and Mining Company.

An act to incorporate the Bagdad Cemetery Company.

An act to amend and reduce into one the several acts organizing and regulating the lunatic asylums of this State.

An act to incorporate Grayson Lodge, No. 186, Independent Order of Odd Fellows.

An act concerning the road laws of Daviess county.

An act to increase the jurisdiction of the quarterly court of Muhlenburg county.

An act for the benefit of the sureties of L. F. Marshall for the years 1872-'3-'4.

An act to amend an act, entitled "An act to establish tram-tracks or railways to navigable streams or railroads in Rockcastle county."

An act requiring the county court of Jefferson county to appoint a measurer of wood, stave-timber, lumber, hoop-poles, and staves.

An act for the benefit of the sheriff of Calloway county.

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An act for the benefit of litigants and attorneys of the Owsley circuit court.

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An act to amend the charter of the town of Lockport, in Henry county.

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An act to incorporate the Farmers' Home Journal, Louisville.

An act to change the line between the counties of Whitley and Laurel.

An act to exempt the citizens from road tax north of Green river, in Henderson county, and require them to work on said road.

An act authorizing the Pulaski county court to agree upon the compensation to the sheriff or tax collector of said county for the years 1876 and 1877.

An act to amend an act, entitled "An act to incorporate the Kentucky Mutual Benefit Association of Physicians," approved March 21, 1871.

An act authorizing the president and three directors to lease the Bardstown and Springfield Turnpike Road to Sanford Cutsinger or others.

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An act to change the name of Falmouth Cemetery.

An act to increase the jurisdiction of the police judge of Lancaster in civil cases.

An act to authorize the presiding judge of the Todd county court to grant coffee-house license within the corporate limits of Elkton.

An act to incorporate Oldham Lodge, No. 169, of Free and Accepted Masons.

An act to amend an act, entitled "An act to establish a criminal court in the sixth judicial district and Hardin county," approved February 23, 1876, and to add Taylor county to said criminal court judicial district.

An act to incorporate the town of Stanton, in Powell county.

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An act in aid of R. H. Caldwell, common school commissioner of Boyd county.

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An act to declare Rockcastle river a navigable stream.

An act for the benefit of the Paducah Savings Bank.

An act to provide for the building of turnpike roads in Todd county.

An act to incorporate the Louisville Abstract and Loan Association.

The following bill, which originated in the House of Representatives, has become a law without the approval of the Governor, he not having returned it to the House in which it originated within ten days :

An act to make additional provision for the education of the colored children in the city of Covington.

Messrs. Turner, Cleveland, Varnon, Goodloe, and Hodge were appointed a committee on the part of the Senate, to act in conjunction with a similar committee on part of the House of Representatives, to wait upon the Governor, and ascertain whether he had any further communication to make to this General Assembly.

After a short time, Mr. Turner reported that the committee had performed that duty, and that the Governor had no further communication to make.

After an interchange of messages between the two Houses in relation to the completion of their legislative business, and their readiness to adjourn, the Speaker, after a short but most appropriate address, on motion, declared the Senate adjourned *sine die*.





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